REPORT

ON THE

Judicial Administration

(Criminal)

OF THE

CENTRAL PROVINCES

FOR

THE YEAR 1869.

NAGPORE:

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FROM

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces,

TO

THE REGISTRAR, JUDICIAL COMMR'S. COURT,

Central Provinces.

Dated Nagpore, the 25th April 1870.

SIR,

I am desired by the Officiating Chief Commissioner to acknowledge the Judicial Commissioner's Report on the administration of Criminal Justice for the year 1869, and to communicate the following observations and directions thereon.

2. The year 1869 was altogether one of exceptional character. When it opened, the results of the closing months of 1868, and the still more gloomy prospects then in view, gave presage of the great increase of crime which was actually to occur. Immigrants from foreign States, fleeing before the famine, had already begun to pour into the Provinces, and in the districts where the scarcity was greatest the number of paupers was daily increasing. Things got worse as the year advanced. From the spring harvest little relief was gained, and until the wet harvest in the autumn brought food and employment, thousands of the population were driven to depend on charity or on crime for their subsistence. This is not the place to describe the measures which were taken to remove the temptation to crime by opening relief camps, and by finding employment for the poor on public works. Nor is it necessary here to detail the measures of prevention which were attempted by the Police. But Mr. Morris feels that in considering the enormous increase in cognizable crime presented by the returns received with the Report under review, it is necessary to recall the terrible distress of which it is the result. Looking back on the year, the cause seems fully adequate to the effect, and he is able unhesitatingly to accept your opinion, supported as it is by the concurrent testimony of Magistrates, and by a mass of corroborative facts, that the increase in crime has been due solely and entirely to the famine.

3. And there are not wanting considerations which make the aspect of the year much more satisfactory than it at first sight appears. The marked decrease in dacoities and robberies is a most favourable

feature, and the Chief Commissioner remarks that the crime of house-breaking, which generally implies premeditation and practised audacity in the perpetrators, has not increased in nearly as large a proportion as simple theft. There has also been a decrease in rape and kidnapping; and the increase in murder, culpable homicide, and attempt at murder, is largely due, it is believed, to the unpremeditated violence of thieves who were surprised in the commission of the pettiest thefts of grain. Mr. Morris believes that there are few instances in which a calamity as severe as the famine of 1869 has fallen upon a large population without producing some kind of aggrarian commotion, or impelling the people to the commission of violent crimes against property. In these Provinces, however, none of these things have occurred: there has been no feeling of insecurity abroad; landlords have had nothing to fear; no marauding bands have infested the jungles; there have been no signs of combined or organized crime; the authority of the Police has been throughout respected. These facts show clearly that the people generally are contented, peaceable, and law respecting; and that among them those conditions are wanting which, when distress supervenes, are wont to lead to lawless disorder. Although remarks on the fluctuations of cognizable crime ordinarily find their place in the review of Police administration, the exceptional character of the past year has made it impossible for the Officiating Chief Commissioner to avoid thus much of comment in this place.

4. As the Judicial Commissioner observes, the decrease in non cognizable crime is due partly to a decrease in prosecutions under special laws, but more to causes "special to the condition of the people during the year." The prevalent distress, and in some months of the year general sickness, have had the same effect in disinclining to the prosecution of petty criminal offences, as they have had in preventing the institution of suits in the Civil Courts. It may also be remarked that in 1868 this class of cases had reached a very high level, and that the number of prosecutions entered in the returns for 1869 agrees very exactly with the number for 1867.

5. The Chief Commissioner observes with satisfaction the large share of attention given by the Judicial Commissioner in his Report to the discussion of the numbers, position, and efficiency, of Honorary Magistrates. This class of Magistrates already fills a large place in our Judicial system, and its importance yearly increases. It is to the unpaid Magistracy that we must look in our attempts to bring the law closer to the homes of the people; and although the time may be distant when every station-house will have its adjacent Court, the Officiating Chief Commissioner fully admits the force of the considerations urged by the Judicial Commissioner in favour of increasing the Magistracy in the interior of districts, and as opportunity offers will not fail to direct the attention of Commissioners to the attainment of this end. It is often urged against our Police administration that we succeed in repressing serious crimes, but fail in our attempts to deal with petty offences. Mr. Morris is of opinion that for the removal of this reproach we must look at least as much to the localisation of the Magistracy as to improvements in the Police, and

that petty offences will be prosecuted instead of being condoned, as is too often the case now, only when people find that the Magistrate is among them, and that the conviction of the offender does not inflict on them and their neighbours the, to them, intolerable hardship of a long journey to the head-quarters of a District or Tehseel. It may be added that the Honorary Magistrate's local knowledge will be another weight thrown into the scale against the criminal, and will go far to render the profession of the habitual thief an unprofitable one.

6. But while thus admitting the expediency of increasing the number of Honorary Magistrates, especially in the interior of districts, Mr. Morris will still insist that Magisterial powers shall not be indiscriminately conferred, and that (as observed in his Review of 1868) "only the natural leaders of the people should be selected, and that the Honorary Magistracy should rather be a recognition of existing rank and position than a stepping stone to a higher social grade." In this way alone can the institution be maintained in popularity and respect.

7. The Chief Commissioner is glad to find that the institution of Benches at Nagpore has so far worked well. It would be premature at this early stage of the experiment to express any decided opinion as to its suitability to the circumstances of other districts, but Mr. Morris is inclined to think that the advantages which a Bench possesses in impartiality, accumulation of local knowledge, and security against hasty and indiscriminating sentences, will not fail to recommend the system to the feelings of the people; and indeed the Commissioner of Nagpore is already able to report to this effect. For the present, then, Mr. Morris would not desire the extension of the Bench system to other places, but he will await the opinion which the experience of the current year will enable the Judicial Commissioner to offer. He is quite sure that the progress of the experiment will be carefully watched both by Major Mackenzie and Mr. Bernard.

8. The testimony borne to the quality of the work of the Honorary Magistrates is very gratifying, and affords evidence of the conscientious spirit in which as a rule they discharge their duties.

9. The progress which you report in the improvement of Court-rooms, the destruction of old records, and the organization of Nazir's offices, is a satisfactory proof of the attention which has been given to all departments of the Judicial system, and is the more commendable because the year has been one in which the increase of crime has severely taxed the energies and time of Magistrates.

10. Regarding the specific offences mentioned in para. 27 of the Judicial Commissioner's Report the Chief Commissioner would make the following remarks :—

Regarding weights and measures.

The Act which has recently been passed prescribing standards of weight and lineal measurement will, it is hoped, in time remove the multiplicity of local standards which is mentioned as a difficulty in dealing criminally with this class of case.

Offences by Public servants.

In regard to this class of offences the Officiating Chief Commissioner will only reiterate the views expressed in his last year's Review, that preventive measures are on the whole more efficacious than irregular attempts at repression. At the same time he would express his confidence, that the improvements in system introduced during the year into Magistrate's offices will not be without their effect in checking the petty extortions of the ministerial officials. Large bribes, the Chief Commissioner hopes, have been almost entirely stopped by the necessity now imposed on presiding officers of recording every proceeding and order in a case in their own handwriting; but it may not be out of place to state, that no more damaging thing could happen to an officer's official reputation than the occurrence of a case in which the corruption of subordinates could be traced to his lax supervision, or to his delegating to them duties which he ought to have performed himself.

False evidence, Forgery, &c.

The prevalence of these crimes in the Nimar district will demand the utmost exertions of the Deputy Commissioner for their repression, and the Chief Commissioner is glad to find that considerable success has already attended the efforts made to this end. The forgeries of Kishen Rao are unique in the audacity and skill with which they were carried out, and in these respects they almost emulate the literary forgeries which lately agitated the *savants* of the French Academy. This case may have a useful effect in rendering Magistrates more alert to detect forgeries which they have hitherto been accustomed to regard as beyond the capacity of experts in these Provinces. In Bengal, where the offence is said to be common, it is probable that Kishen Rao would not have had so long a career.

Offence against the person, Murder, &c.

The recurrence of murders induced by the suspicion of witchcraft is a regrettable feature in the year's results. But it is scarcely matter for surprise that the terrible epidemic of cholera in Chuteesgurh should have revived a superstition which is so deep rooted in the minds of most ignorant and half-civilized races, and which, were it not for certain counteracting influences in the Hindoo and Mahomedan religions, would probably lead to similar crimes much more frequently than it in fact does.

Assaults, Hurt, &c.

The Table under this head ought, in the Chief Commissioner's opinion, to lead to further enquiry, both in regard to the classification of offences under different sections of the Code, and to the totals of different districts. Further, Mr. Morris trusts that the Judicial Commissioner's remarks regarding the indiscriminate summoning of accused persons and witnesses, combined with a more general enforcement of the provisions of Section 270 of the Criminal Procedure Code, will remove this now long standing reproach of the Courts.

Adultery.

The diminution in convictions is no doubt attributable to the caution which was conveyed in the Report of last year, and is therefore satisfactory. But the Chief Commissioner is unable to endorse the opinion to which the Judicial

Commissioner and the Commissioner of the Nerbudda Division incline, that the offence of adultery might be excluded with probable advantage from the Penal Code. The crime varies as Mr. Low observes, from "a black enormity to a fault of very trifling magnitude." It may be conceded that in these Provinces the social conditions of the people are such that it generally presents itself unaccompanied by circumstances of much aggravation. But if we look beyond the Central Provinces, and consider also the possible occurrence of aggravated cases in our own Courts, it would seem evident that adultery ought not to go unpunished; and Mr. Morris thinks that if Magistrates are only careful to bear in mind the considerations which the Judicial Commissioner has pointed out as criteria for estimating the magnitude of this offence, there is no danger of ill-judged sentences being passed. It may be added that as adultery cases have to be tried with the aid of assessors the Judge has every possible opportunity for forming a correct opinion as to the attendant circumstances of each case.

11. The diminution in prosecutions under special laws, and in particular under the Salt, Stamp, and Forest laws, is very satisfactory, since it arises not from relaxed executive supervision, but from the better observance of these laws by the people. The easy working of special enactments is a matter of very great importance.

12. The percentages of convictions in Class I. (offences against the State, the Public, and Public Justice); Class III. (offences against property); and in the aggregate, is good. In Class II. (offences against the person) improvement will be looked for. All that could be done by the Judicial Commissioner in the way of caution against indiscriminate summoning has been done, and the Chief Commissioner will now look to the Magistrates of districts individually to see that their subordinates are not allowed to transgress in this respect.

13. The Chief Commissioner concurs in the opinion expressed by the Judicial Commissioner, that solitary imprisonment should be more frequently awarded. The advanced state of our new Central and Divisional Jails has removed the difficulty which was formerly experienced in carrying out sentences of solitary imprisonment.

14. The salient points which the returns exhibit, as compared with 1868, are—

Punishment.

(1).—The percentage of persons punished with fine only, fell from 64 to 44.

(2).—The percentage of persons imprisoned rose from 21 to 27.

(3).—The proportion of persons punished with whipping doubled in 1869.

These results, as the Judicial Commissioner explains, are due—first, to a reduction in the number of non-cognizable cases in which fine is the principal punishment; secondly, to the large number of entirely destitute persons brought up for petty theft. For such persons fine was out of the question and whipping was generally a suitable

punishment. The Chief Commissioner is glad to learn that in the Judicial Commissioner's opinion Magistrates have not forgotten the principle, that whipping should only be inflicted when it appears to be the best punishment with reference to the circumstances of the particular offence and the particular offender. It is also satisfactory to know that after careful enquiry the Judicial Commissioner is able to pronounce, that, on a general view for the whole Province, terms of imprisonment "have not been fixed at an immoderately high standard," and that during that year fewer instances have come before him of ill-judged sentences.

15. The views expressed in the report regarding the treatment of habitual criminals have the Chief Commissioner's entire concurrence. The punishments awarded on reconviction must be such as shall effectually check the growth of the criminal class: at the same time it is clearly desirable that in passing sentence, the magnitude of the new offence, the period which has elapsed since the last conviction, and other mitigating circumstances, should not be lost sight of. The value of general principles as standards in awarding punishments cannot be overrated; but he is the best Judge, who, not forgetting such standards, allows most to the play of circumstance, and to the endless variety of condition under which crime is committed.

16. The Chief Commissioner does not doubt that fines are still pitched somewhat too high. The remedy lies in the hands of Magistrates of districts, and their special attention is accordingly directed to this matter.

17. The Table in the 30th para. of the Judicial Commissioner's report exhibits some remarkable differences between districts in the extent to which recourse is had to different kinds of punishment, and Mr. Morris has no doubt that if the line of enquiry thus started is pursued, interesting and instructive results may be elicited. Special laws, such as Municipal Bye-laws, may account for some of the differences observable, but after such deductions have been made it may perhaps be found, that the effect of differences in the caste, profession, and material prosperity, of the populations of districts, is apparent in the varying proportions of the kinds of punishment awarded by Criminal Courts.

18. The improvement shown by the Witness detention Statement is satisfactory.

Appeals.

19. Should it on further consideration appear necessary, orders will be given to afford to the poorer class of prisoners greater facilities than they now possess for drawing up appeals.

The differences pointed out by the Judicial Commissioner in the proportion of appeals preferred in different districts, and the proportions successful before different appellate Courts, are remarkable enough to direct attention to these points in future; but the Chief Commissioner thinks that conclusive inferences can scarcely be drawn from the re-

sults of a year so abnormal in its conditions as 1869. For instance, in a district where crime has largely increased, the usual proportion of appeals to sentences may have been quite upset by the fact that the accused in a majority of cases pleaded guilty.

In concluding this Review I am to state, that in the Chief Commissioner's opinion the substantial progress which has been achieved in a year of anxiety and excessive work is a matter for great satisfaction, and affords another proof of the spirit of zeal and devotion which the Officers of the Central Provinces' Commission bring to the discharge of their duties. I am further to express Mr. Morris' conviction that the success attained has been very largely due to the careful supervision and able guidance which the Courts have received at the hands of the Judicial Commissioner.

I have the honor to be,

Sir,

Your most obedient Servant,

W. B. JONES,

Offg. Secretary.

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No. 214.

FROM

THE REGISTRAR, JUDICIAL COMMISSIONER'S COURT,
Central Provinces,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,
Central Provinces.

Dated Nagpore, the 26th March 1870.

SIR,

I have the honor to submit the Report on the administration of Criminal Justice for 1869. The usual Statements* accompany. The several Divisional and District Reports are also forwarded.

* IMPERIAL OR STATISTICAL COMMITTEE'S STATEMENTS

B 1	--Showing	the various Judicial Tribunals, original and appellate
B 2	do	the offences reported and persons tried, convicted and acquitted
B 3	— do	the general result of Criminal trials in the tribunals of various classes.
B 4	— do.	the punishments inflicted by various tribunals.
B 5	— do.	the result of appeal and revision in Criminal cases.
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I	—Classified abstract of offences and offenders	
II	—Exhibiting details of Criminal work of Magistrates.	
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V	— do	appeals in Criminal cases.
VI	— do.	the cases in which European British subjects were charged with offences
VII A	— do.	duration before Magistrates of Police cases
VII. B.	— do	duration of cases instituted before Magistrates on complaint.
VIII	— do.	cases and persons tried in the Courts of Sessions.
IX.	— do.	the punishments inflicted by Courts of Sessions.
X.	— do	each Officer's Criminal work of the year.

Reduced bulk of Statements

It has been found possible to omit Statements formerly numbered I.A., VIII., IX., X A, X B and XIII., and greatly to reduce all the other Statements of the local series. Everything material has been retained. But Statement II. has been slightly added to.

Uniform plan of District Reports

The local Reports are this year prepared on a uniform plan. That plan is founded on the Statements and is therefore comprehensive as well as methodical. This has rendered the district reports unusually complete and easy of review. The same plan governs the arrangement of this Report. It was followed in last year's Report also.

STATE OF CRIME.

Extraordinary increase of crime

2. Following the usual practice then I am first to notice the state of crime. The year has been a remarkable one. Probably never before have the Police and the Magistracy been so heavily worked. In a large portion of these Provinces numbers of persons were driven by want to steal, and from month to month the intensity of the prevailing scarcity was commensurate with the rise and fall of cognizable crime. The following passages from the local Reports well set forth the state of the country and its effect on crime.

The Deputy Commissioner of Jubbulpore's account.

"The effect of distress is apparent * * * and a further argument in favour of the position that the increase of crime has been solely and entirely the result of distress, may be drawn from the exceptionally favourable result of Police action in procuring arrests and convictions, no one cared to escape when the Jail gave the best security for food, and the plea "I stole because I was hungry" came without hesitation from the lips of the majority of those who were brought before the Courts. The truth is that authority was powerless in the face of a calamity so bitter and widespread that it deprived the law of its terrors, and made a law abiding population callous to the disgrace which heretofore had been the lot of the felon,—

and even if the Police had been able to cope with the crime which was proper to the district, it would have been impossible for any body of men to have guarded against the depredations of the famine stricken crowds who swarmed into the district from the adjacent Native States. Deportation was out of the question,—it would have been in most cases a sentence of death: supervision was impossible unless the Police had been omnipresent,—an indictment for vagrancy could not be drawn against a whole people. The Police would have been helpless indeed had it not been for the Relief Stations, which, better and more effectual than station-houses, repressed crime by taking away the temptation to commit it, and drew to a few easily guarded centres the vagrancy which would otherwise have inundated the district. I have appended to this report an instructive Statement, showing the caste and profession of the criminals of the first nine months of the year. It shows most clearly that the increase in crime has been entirely the effect of distress and it affords painful proof of the severity of the famine, that it has brought the usually honest Lodhees, and the inoffensive Gonds and Koles, into the front rank of the criminal classes of the year. The Gonds and Koles, as you are aware, are principally found in the north-eastern portion of the district, where the famine was most intense.

The Deputy Commissioner of Saugor's account.

"The reason given for this marked increase in ordinary thefts is the prevailing distress during the past exceptionally bad season, which drove people suffering from want to resort to crime, to obtain food for their own livelihood. This criminality was not confined to any special class or caste, but seems to have been spread equally over all the wandering poor, who were drawn to this district from the neighbouring countries in search of work and relief, and who comprised people of all castes and races. As far as I can learn, this great influx of poverty-stricken people could not well have been anticipated, as they poured into the district from all directions; and often from very long distances; thus, in September, in Saugor alone, there were more than 1,000 strange beggars; regarding whom the District Superintendent then reported that they were in such a state of want and destitution that if they could not get sufficient food they at once had resort to stealing. Repressive measures with people of this sort were not easy, for the Jail was looked upon as a comfortable abode, and prisoners sentenced to imprisonment were so much envied, that instances have been known of thefts being committed in sight of the Police in order to ensure the offender's arrest, and the attenuated state of body of most of these people quite precluded the possibility of any resort to the Whipping Act, so that, in point of fact, to people in this state the law lost all its terrors.

The Commissioner of Jubbulpore's account.

"The fluctuation of crime during the past year was chiefly under the head of offences against property. This is shown to have been the case in every district of the Division, and the remarks which hold good for one district will be equally applicable to the other four;—there is abundant testimony that it was due solely to the severe distress which prevailed during the year. The Deputy Commissioners of Jubbulpore, Saugor and Seonee, who have minutely examined this increase, concur in tracing the cause to the agricultural pressure which afflicted the country during the year 1869. They demonstrate the undue prevalence of these crimes, for which the year was remarkable, just where the famine was felt the severest; and that the offenders were the indigent people who were thrown suddenly on the world, without food or employment to eke out their existence. In this condition, and scattered all over the country, they were driven to commit petty thefts of handfuls of grain to sustain life. It was not an organized system (with which the Police could have grappled with comparative facility), but a widespread calamity involving thousands, to watch whom would have been impossible, had the Government not started relief measures which drew these starving people to centres, where, having obtained food, they at once abandoned crime.

The Commissioner of Nagpore's account.

"The great increase of thefts in Balaghat, Bhundara and Chanda, is attributed to the failure of the rice crop and consequent dearness and scarcity of 1868-69. I fully believe that this explanation of the increase of crime is correct. Crime was most rife when food was dearest, that is during August 1869. The price of common rice fell 50 per cent during the last 2½ months of the year; and the amount of crime at once decreased and has now returned to its normal standard. I regret that I am unable to offer any precise figures to show how many of these offences were petty grain thefts. But I am within the mark when I say that more than two-thirds of the thefts, &c., of the year were grain thefts; while the average value of the stolen property was extremely small. When I was on tour during July and August, I several times came upon ten or fifteen prisoners who were just being sent up for trial from the different station-houses I visited; in each case the men were up for grain thefts; they all admitted their guilt, and pleaded that hunger had driven them to steal. I am bound, however, to add that in some cases the offenders did not look emaciated. The Jail returns of the weight of convicts at the time of admission show that the average weight of persons sent to prison for petty thefts during 1869 was very much less than it was during 1868.

The Deputy Commissioner of Raepore's account.

"The real explanation then of the large increase in the number of offences against property in 1869 is the extreme agricultural distress which prevailed throughout the district up to the cutting of the khureef harvest in November last. It has been shown that where the distress was greatest there too thefts were most numerous, while the Police returns show that no less than 25 per cent of these thefts were of grain, thus indicating that want was the impelling motive actuating the perpetrators. Again 23 per cent of the thefts were of grain or other property valued at less than a rupee, illustrating how urgent in most cases the want was, for apparently the insignificance of the property to be obtained was of no moment when immediate necessities had to be gratified. Indeed, if the *bonâ fide* criminal classes had been largely concerned, the absolute pettiness of the majority of the thefts which occurred would not have been a main characteristic of the Police returns of the year. Were any further corroboration wanted as to aggravated agricultural distress being the occasion of the large increase in thefts it was to be found in the emaciated looking objects who were generally brought up for trial."

3. Turning to the Statements, the following figures are taken from Statement I. :—

Year.	Offences cognizable by the Police.	Difference.	Offences not cognizable by the Police.	Difference.	Total offences.	Difference.
1866.	23,797	..	11,359	..	35,156	...
1867.	20,208	—3,589	11,532	+173	31,740	—3,416
1868.	22,370	+2,162	13,398	+1,866	35,768	+4,028
1869.	34,196	+11,826	11,708	—1,690	45,904	+10,136
		or 53 per cent.		or 13 per cent.		or 28 per cent.

Cognizable crime.

4. It will be seen that the rate of cognizable crime stands for the year and for the whole Province at a point half as high again as in ordinary years. The result is of course due to minor offences against property. The following Table shows how each district was affected in this respect :—

DISTRICT.	House-breaking or house-trespass in order to commit theft.		Theft (ordinary).		TOTAL.	
	1868.	1869.	1868.	1869.	1868.	1869.
Nagpore	278	374	742	1.055	1.020	1.429
Chanda	346	579	693	1,538	1,039	2,117
Bhundara	632	1,536	868	1.404	1,500	2,940
Wurdah	64	60	222	224	286	284
Balaghat	163	592	188	578	351	1,170
Jubbulpore	903	1,570	726	1.034	1,629	2,604
Saugor	1,215	1,321	898	1,346	2,113	2,667
Seonee	261	486	248	509	509	995
Dumoh	750	1,172	561	1,309	1.311	2,481
Mundla	275	520	125	301	400	821
Hoshungabad	269	221	708	585	977	806
Baitool	103	222	220	466	323	688
Nursingpore	535	691	661	987	1,196	1,678
Nimar	163	225	383	473	546	698
Chindwara	157	248	319	476	476	724
Raepore	247	530	443	1,186	690	1,716
Sumbulpore..	200	621	459	1,024	699	1,645
Belaspore	274	1,001	313	588	587	1,589
Upper Godavery	3	13	25	43	28	56
Total ..	6,838	11,982	8,802	15,123	15,640	27,105

Scarcity was severest in the east and north, and the westerly districts of Hoshungabad and Wurdah alone escaped an increase in this class of crime. In all other districts it increased, from 26 per cent in Saugor to 333 per cent in Balaghat, the rate of increase for the Provinces as a whole being no less than 73 per cent. But it was in this class of crime alone that there was any general and at the same time remarkable increase. It deserves to be distinctly marked that while these offences against property increased in an extraordinary degree by reason of the unprecedented amount of distress and want throughout the country, no other classes of cognizable crime increased in like proportion. The offence of dishonestly receiving stolen property increased from 391 cases in 1868 to 505 in 1869. And there was an increase of about 50 per cent in cattle thefts. But this crime—never an alarming feature in the crime statistics of these Provinces—was confined to a few districts, chiefly Jubbulpore, Raepore, Belasporo, Saugor and Dumoh. And, on the other hand, some offences actually decreased. Nuisances under Police and Municipal Acts decreased from 1,051 to 804, wrongful restraint and confinement decreased from 489 to 344: house-breaking and lurking house-trespass in order to offences other than theft went down from 255 to 244; vagrancy and bad livelihood cases were only 158 in number. Some of the more violent offences indeed slightly increased,—*e g.* murder, and attempts at murder from 104 to 119, and culpable homicide from 22 to 30. But then others decreased, such as attempts to commit suicide from 160 to 129, rape from 41 to 27, kidnapping and abduction from 23 to 15, dacoities from 30 to 13, and robberies from 77 to 47. And under all these heads the amount of crime remains low. The remarks of the Deputy Commissioner of Jubbulpore are again apt :—

"A noticeable and satisfactory feature in the year's results is the decrease in violent crime just when one would have expected an increase. No stronger proof could be given of the essentially peaceable and law-respecting character of the people. Where distress drove them into theft the idea of combining to plunder seems scarcely to have occurred to them, and when one would have expected grain riots and dacoities to have broken out in all parts, nothing occurred beyond petty thefts and house-breaking by individuals.

Amount of cognizable crime coming before the Courts.

5. The following Table shows how much of this cognizable crime came before the Criminal Courts :—

Year.	Number of cognizable offences reported.	Number of offences in which apprehensions were made.	Number of persons apprehended.	Discharged at instance of Police.		By Magistrate.	Acquitted.	Convicted.
				At station house.	At head-quarters.			
1868.	22,370	12,549	21,531	2,245	417	2,314	1,510	14,894
1869.	34,196	19,292	32,084	2,424	494	3,076	1,504	24,290

It is here seen that in both 1868 and 1869 the Police made apprehensions in the same proportion (56) of every hundred offences reported. Seeing that in 1869 there was relatively a greater preponderance of simple offences due to famine, a higher proportion of apprehensions might have been expected. In many of the more petty cases reported there was no prosecution. But still the reports show that the apprehensions appertained in a much larger measure than usual to simple cases of this kind. On the other hand it has to be borne in mind that while so unusually occupied in escorting prisoners to distant Courts, in executing processes, and in other important duties, the Police must have been less available for difficult detective duties than in ordinary years. In fact it is apparent from the reports that in some districts the Police were during a portion of the year unable to cope with the great increase of crime.

In view (amongst other important objects) of economising the time of the Police, no proper opportunity has been lost by the Officiating Judicial Commissioner of suggesting an increase of the Criminal Courts by the appointment of Honorary Magistrates in the interior of districts. But it has not been possible to effect much in this way during the year.

The proportion of cases brought before the Magistrates by the Police which were decided at once on the evidence adduced by the Police rose from 92 per cent in 1868 to 94 per cent in 1869. This doubtless was owing to the unusual preponderance of simple cases. The large proportion of cases in which it was necessary to call for further evidence in the Baitool district, *viz.*, 36 per cent, is unfavourable.

Ninety-one per cent of 24,290 persons prosecuted to conviction by the Police were convicted on the charges preferred. This is not so favourable as in 1868, when 93 per cent of 14,894 persons were so convicted. And in a few districts the Police charges were found incorrect in proportions which were certainly too large,—in Belaspore 25, in Chanda 21, in Chindwara 18, in Baitool 16 per cent of the charges by the Police against persons ultimately convicted had to be altered by the Magistrates.

Non-Cognizable crime.

6. It may at first sight appear remarkable that in a year extraordinary in respect of the large amount of cognizable crime, the Criminal Statements show an amount of non-cognizable crime one-fifth less than in 1868. Some considerable falling off appears in offences against special laws, as salt cases, breach of the Stamp law, and of Jail discipline. But about two-thirds of the decrease shown appertain to petty breaches of the peace and the like. It would not follow that non-cognizable offences of this kind were actually fewer during the year. The Statement only shows those which eventuated in Magisterial enquiries and trials of the accused; and the decrease which occurred in that portion of non-cognizable crime was apparently due principally to causes special to the condition of the people during the year, and unconnected with the Judicial administration.

7. From this brief survey of the state of crime the greatly enhanced amount of work which devolved on the Magistracy and Police during the year will be sufficiently apparent. The Judicial Sections of the subject will now be dealt with, in the following order :—

A.—The Tribunals—(*Statement* B1.)

B.—The distribution of the business among the several classes of Tribunals—(*Statements* B3, B5, and V.)

C.—The action of the Tribunals of original jurisdiction in respect of accused persons appearing before them—(*Statements* B2, B3, and I., II., VI., VIII.)

D.—Punishments—(*Statements* B4, and III., IIIA., and IX.)

E.—Detention of Witnesses—(*Statement* IV.)

F.—Appeals, References, and Revisions—(*Statement* B5, and V.)

G.—Duration of cases—(*Statements* VIIA., VIIB., V., VIII.)

A.—The Tribunals.

8. The following Table is presented :—

Table of Tribunals.

Number of Courts at the close of the year.	1868.	1869.	REMARKS.
Chief Court of Provinces (Judicial Commissioner's Court)..	1	1	
Sessions Courts (Commissioners')	4	4	
Magistrates of Districts exercising powers under Sec. 445A of the Criminal Procedure Code from June 1869 ..	0	18	
Magistrates of Districts (exercised extended powers under Act XV. of 1862, up to end of May 1869) ..	17	0	
Magistrates with full powers. { Stipendiary	48	50	* Including 5 Superintendents of Jails, and 19 Deputy Commissioners.
Magistrates with full powers. { Honorary	11	10	
Subordinate Magistrates .. { Stipendiary	79	76†	† Including 5 Superintendents of Jails, 3 Forest Officers, and 1 Customs Officer.
Subordinate Magistrates .. { Honorary, ...	73	63	
Justices of the Peace	46	43	

New District Courts of Session.

9. Magistrates of districts exercised the extended powers of Act XV. of 1862 for the first five months of the year, when the Act was repealed from 1st June by Act VIII. of 1869. Section 445A. of the latter Act however re-enacted the provisions of Act XV. of 1862, and the only difference is that Section 445B., Act VIII. of 1869 provides that the Officers invested with the extended powers of Section 445A. shall try offences which under the Schedule annexed to the Act are triable by a Court of Session only, *as a Court of Session* according to the rules of Chapter XXV. of the Criminal Procedure Code. This necessitates the regular commitment of cases relating to such offences being made to the Courts of such Officers by other Magistrates having power to make commitments to a Court of Session. In reference to this the Deputy Commissioner of Jubbulpore writes :—

"I can conceive no object for this change except that it removes the Deputy Commissioner somewhat further from the position of a prosecutor. But this is a fanciful objection, and does not deserve to be weighed against the drawbacks to the new system, *viz.*, delay to the prisoner, harassment of witnesses, and double trouble to the Courts."

Other Deputy Commissioners have not noticed the point. The Commissioner of the Nerbudda Division writes :—

"I am myself inclined to think that the old procedure under Act XV. was not so satisfactory or so suitable as the regular committal under the new Act."

Probably in many instances Deputy Commissioners try these cases as Sessions Courts just as they would as Magistrates of Districts, *i. e.*, in the same spirit and frame of mind. In a few instances however it may be different. These would be the more important cases, and the Officiating Judicial Commissioner is at present inclined to think that the trial of these cases is likely to be better under Chapter XXV. than under Chapter XIV. of the Criminal Procedure Code. And if so, then the drawbacks adverted to in respect of labour and delay would be comparatively unimportant. It may, however, occasionally happen that no Magistrate with power to make commitments to the Deputy Commissioner's Sessions Court may be at hand, in which case the system under the new law would be—so far—inoperative. It may be added however that some Deputy Commissioners

have acted on the misconception that the powers of Section 445A. must be exercised in *all* cases as a Sessions Court, whereas that procedure is necessary only in respect of the trial of those offences which under the Schedule are triable by a Court Session only.

The Bench system. Magistrates' Courts.

10. During the year the Bench system has been introduced at Nagpore The Commissioner writes :—

"In the City of Nagpore two Honorary Magistrates sat together as a bench and heard cases. At first these gentlemen were averse to such an arrangement, but now the majority approve of the bench system. I recently had the honour of submitting a report upon the Nagpore bench of Honorary Magistrates. I was able to say that cases were well and thoroughly sifted, and that so far as I could learn the public preferred to have their cases heard by the bench rather than by single Magistrates. The only weak point was that while only one bench sat twice a week, the prompt disposal of cases was somewhat checked. Recommendations were submitted for extending the bench system; when these shall have been sanctioned and carried out the several benches will be able to dispose of their business with sufficient promptitude."

The recommendations alluded to were for the appointment of a number of additional Honorary Magistrates at Nagpore in order to allow of benches being formed for the performance of the same quantity of work as has been performed heretofore by fewer Honorary Magistrates sitting singly. The Deputy Commissioner of Jubbulpore writes :—

"I trust that whatever may be done in other districts, that scheme (of benches of Honorary Magistrates) will not be applied to Jubbulpore. If the title of Honorary Magistrate is to be what that of Justice of the Peace often is in England, little more than an honorary distinction, a bench of drones may be useful politically and otherwise harmless, provided that the Government is prepared to employ some competent stipendiary to take the place of the Clerk of the Peace, Recorder, or Assistant Judge in England. But at present Jubbulpore possesses two Honorary Magistrates, one of whom would bear comparison with many stipendiaries, and it would be a mere waste of power to make such a man one stick in a faggot bench. Besides to institute benches would be a retrograde step. In England the tendency is from benches to stipendiaries. None of the conditions which give show of utility to benches there exist in India. I will not attempt to describe how benches arose in England, but it may safely be asserted that if they were not in existence, there would be but little chance of their now being formed."

Except Nagpore, however, there are few places where benches could be formed, and at Nagpore the Officiating Judicial Commissioner would himself wish only to see the system partially adopted. All things considered, the Officiating Judicial Commissioner's own opinion is that with good Magistrates the single system has preponderating advantages and may best remain our general system.

Magistrates' Courts on holidays.

11. It was found that formerly in some places the Magistrates' Courts in a district remained entirely closed during close holidays, however long their duration. Under instructions conveyed in Judicial Commissioner's Book Circular IV. of 1869 this practice has now ceased. Every Sunday, and sometimes on other single holidays (not Saturday or Monday), the Magistrates' Courts are and may be closed; but on all other days in the year Magistrates now sit in every district and hear Police cases as usual.

Need of additional Magistrates in interior of districts.

12. Additional Courts in the interior of districts are very much required. Large tracts of country are still without a local Magistrate and the pettiest cases have often to be brought before the Courts from very long distances. To say nothing of the expense in diet money and travelling allowances and in Police escorts, the dragging of witnesses long distances in numbers of petty cases is an evil which deserves to be fully appreciated, and mitigated to the utmost degree possible. The following Table shows the area and the number of Magistrates' Courts at different places in each district :—

DISTRICT.	Area in square miles exclusive of Feudatory States.	Number and name of places with Magistrates' Courts. H. M. signifies Honorary Magistrate's Court only.	Average area to each place with Court.
Nagpore	3,682	Nagpore .. .. .. Ramtek Katole Oomrair Mohpa Kampteo Dhapawara, H. M.	614
Bhundara	5,601	Bhundara .. .. .. Tirora Sakolee Pownee Kampta, H. M.	1,120
Chanda	10,000	Chanda ... . Wurrora Mhool Berhampooree Aheree, H. M.	2,000
Wurdah	2,392	Wurdah ... . Arvee Hinganghat Ashtee Wurnaira, H. M.	478
Balaghat	Included in Bhundara, Mundla and Seonee.	Boorha Purruswara	
Upper Godavery District ..	2,274	Seroncha .. .. Doomagoodium	1,137
Jubbulpore	4,856	Jubbulpore .. .. .. Schora Moorwara Sullya, H. M.	1,214
Saugor	3,028	Saugor.. .. .. .. Rehlee Khooryo Bunda Gurhola, H. M, Piterah, H. M. Deoree, H. M. Russena, H. M.	491
Seonee	5,365	Seonee .. .. Kuttungee Lucknadown Aree, H. M.	1,341
Dumoh	2,457	Dumoh .. .. .. Hutta	1,228
Mundla*	5,134	Mundla ... . Ramgurh	2,567

DISTRICT.	Area in square miles exclusive of Feudatory States.	Number and name of places with Magistrates' Courts. H. M. signifies Honorary Magistrate's Court only.	Average area to each place with Courts.
Hoshungabad...	3,997	Hoshungabad.. .. . ... Hurda Mugurdah, H. Seonee Sohpoor H. M. Khupuriah, H. M. Sohagpoor Chourahet, H. M. Puchloura, H. M. Sohhapoor, H. M. Futtehpoor. H. M.	363
Baitool	3,600	Budnoor ... . Mooltye Baitool, H. M.	1,200
Nimar...	3,584	Nimar .. .. .. Boorhanpore Mortukka Bhamgurh, H. M. Mandata, H. M. Piplode, H. M. Ascergurh	512
Nursingpore	1,916	Nursingpore .. .. Gadurwarra Chaorpata Chichloe, H. M. Gungye, H. M. Ornee Peepuria Jinjaera	274
Chindwara	4,255	Chindwara .. .. Saosur Lodhikhera, H. M. Pandoorna	1,064
Racpore	8,453	Racpore .. .. Dhumtery Simgah Droog	2,113
Belaspore	5,873	Belaspore .. .. .. Moongeylee Seoreenarain Lormee, H. M. Pendra, H. M. Laffa, H. M. Chappa H. M. Ruttunpore H. M.	734
Sumbulpore	5,632	Sumbulpore ... . Burgurh	2,816
Total ..	82,999	92 places with Courts ..	902

It can be judged that the nearest Magistrate is in many parts of the country a very long way from the people. In some districts the evil has been to a certain extent mitigated by the appointment of Honorary Magistrates in places unprovided with a Stipendiary Magistrate. But in other districts little has been effected in this way, and there public harassment must be great. A Criminal Procedure Code that directs offenders apprehended by the Police to be brought before a Magistrate with all the witnesses in the cases, pre-supposes the location of Magistrates at reasonably short intervals throughout the country to which the Code applies. We have the Code, but not everywhere this condition of its aptness. There may be real difficulty in increasing the Magistracy. But a distinct recognition of the hardship arising out of the distance of the Courts may be one step towards such an addition to their numbers as shall bring them more generally near to the people than they are.

The question of Honorary Magistrates' establishments.

13. One cause of hesitation in recommending country gentlemen for the Magistracy has been the inability to supply them from the out-set with paid Clerks. On this subject a full report was submitted to the Chief Commissioner in May last. The following extracts show the view then taken by the Officiating Judicial Commissioner :—

"(1). When an Honorary Magistrate is newly appointed some pains should be taken to show him by example how to conduct an ordinary enquiry or trial, and to make him understand the simple routine in connection with the disposal of records and the like. Arrangements for making Police cases, and cases on complaint come under his cognizance would then be made according to his individual apparent qualifications. No question of establishment would be entertained at this stage. The Honorary Magistrate would be able to see that his manual labour would not be great or more than his duty required of him, and that the results of enquiries and trials would, in any event, require the exercise of his own individual judgment, and that, until work became heavy, no establishment beyond what he would probably find ready to hand among his own dependants and retainers would be really necessary. If he was not quite up to statistics, that part of an ordinary Court's work would be done for him in the Deputy Commissioner's Office. If the Honorary Magistrate still foresaw trouble and expense, it would be explained that his assumption of Magisterial office was optional, and that if he assumed it, then, as stated by the Chief Commissioner in his Judicial Review for 1867, any slight expense was a burden which was simply incidental to the Honorary Magistrate's position, in respect of which (it might be added)—although Government might subsequently see cause for consideration—yet at the very out-set it could entertain no claim."

"(2). When it might be seen that an Honorary Magistrate was doing much work and becoming materially useful and necessarily incurring some steady expense in the maintenance of his Court, I think that then some assistance might be offered. But I would rather see this assistance given by way of an annual or occasional Honorarium than by a Clerk or establishment paid and appointed by the Administration. Only in exceptional instances—such as at Nagpore—when the Honorary Magistrate's Court was so constituted as to form one of the important ordinary Courts in the district for the regular transaction of a considerable amount of Magisterial work, would I as a rule advance beyond the honorarium system and supersede it by regular fixed Government establishments."

"In this way no Honorary Magistrate would be put to great uncompensated expense in the exercise of his office; and at the same time the evil of cheap Government establishments would be kept down to a minimum. For the rest I will not recognize it as right to say that Judicial Mohurrirs should be supplied to Honorary Magistrates for the purpose of being their tutors."

"I am thus not disposed to support the Commissioner's proposal* in its present form I acknowledge its simplicity and the comfort it would give to District Officers who have now to instruct and encourage their nominees at the cost of some extra time and trouble; but I should fear that its general effect would be more bad than good."

* To give each Honorary Magistrate an establishment on first appointment.

In these views the Chief Commissioner was pleased to concur, except in this, that in cases where, by reason of the amount of work performed being great and the Honorary Magistrate being unable himself to find the subordinate agency requisite among his own dependants, assistance might be necessary, then, aid should take the form of a paid establishment rather than an Honorarium. And the Chief Commissioner finally observed that—

"The general rule would be that Honorary Magistrates must accept the necessity of providing their own Mohurrirs if they require them."

14. In regard to the procedure of the Courts it has only to be observed that while in matters dependent upon the discretion and habits of individual Officers some room for criticism will always remain, as regards technical procedure a good and correct standard is generally adhered to, and little remains to be said now upon that subject. Perhaps some of the Honorary Magistrates are slower than others to work up to the prescribed standard. But on the whole they too vie with the Stipendiary Magistrates in endeavour to conform to rule. On this head the Commissioner of Nagpore may be quoted as follows:—

Court procedure.

"In my judgment the Magisterial work done by the Honorary Magistrates is well done; and what is very important, their Courts are popular. In some of the Honorary Magistrates' Courts, the procedure is quite as good as it could be; in most it is moderately good. In some, however, the procedure is not quite so prompt as in the average of Stipendiary Magistrates' Courts. Deputy Commissioners generally appear to speak well of the Honorary Magistrates' work."

In several points the ordinary procedure was improved during the year under the operation of Act VIII. of 1869. Amongst other matters it enabled the formation of divisions of Districts in Hoshungabad and Nimar.

Formation of divisions of Districts.

The remarks by the Commissioner of Nagpore in regard to assessors merit quotation:—

Assessors.

"I have found the greatest benefit from their help. The assessors have always given very close attention to each case as it goes on; on one occasion two assessors had to sit for two days up till late in the evening at one case. They always deliver their opinion before I state my own. I have always been able to decide in accordance with their awards. * * * In weighing motives to crime, and in assigning its proper weight to the evidence of witnesses, the assessors are remarkable acute."

In the Commissioner's opinion regarding the assistance derivable from assessors as adverted to in the concluding remark above quoted, the Officiating Judicial Commissioner quite concurs.

15. In the course of his tour of 1868-69 the Officiating Judicial Commissioner found that many Courts were very imperfectly supplied with copies of the Laws which governed their ordinary practice. Much has been done to remedy this defect during the year. There are still some deficiencies. It is sometimes practically very difficult to obtain Vernacular versions of Acts of the Legislature.

Law Libraries.

16. Some of the Court-houses at District head-quarters are deficient in accommodation. At Jubbulpore, and Nagpore satisfactory arrangements can probably be made only by providing new buildings altogether. At Hoshungabad, Nursingpore, Baitool and Bolaspore the accommodation is insufficient.

Court-houses.

17. Last year it had to be noticed that the state of the Court-rooms and the style of their furniture and fittings were in many instances very defective. During 1869 a good deal has been done to remove these defects. But more remains to be done. The best Court-room arrangements which the Officiating Judicial Commissioner has seen are at Wurdah. During the current year it is hoped that the instructions given on the subject will be fully carried out everywhere.

State of the Court-rooms.

18. Revised rules for the destruction of criminal records were issued* during the year. The old rules were only partially operative. Under the retrospective application of the new rules a very material clearance of useless records has been effected in the criminal record-room

Record rooms.

* Book Circular XXIII. of 1869.

of each district. The work was methodized and has been promptly completed. It will be hardly possible for the record-rooms again to become choked up with useless papers.

Nazarut.

19. The important duties devolving on the Nazirs of the Courts were reviewed during the year and placed upon a proper system *

* Book Circular VIII, of 1869.

20. Major Mackenzie was Officiating Judicial Commissioner throughout the year.

B.—THE DISTRIBUTION OF THE BUSINESS AMONG THE SEVERAL CLASSES OF COURTS.

Magistrates' Courts.

21. Statement B3 shows that 53,183 accused persons were brought before the Magistrates in the following proportions :—

Before Magistrates of Districts 7
Before other Stipendiary Magistrates ..... 71 } per cent.
Before Honorary Magistrates 22

Courts of Magistrates of Districts.

22. Magistrates of districts have continued as a rule to take only a small portion of Magisterial duty themselves. The Deputy Commissioner of Hoshungabad disposed of only 11 persons in 8 cases. The Deputy Commissioners who did most were those of Mundla, Balaghat, Bhundara, Sumbulpore and Chindwara. Deputy Commissioners, however disposed of a few more persons as Sessions Courts. These are shown separately.

Distribution of Magisterial business.

23. The following Table will give all further needful information as to the manner in which the Magisterial business was distributed :—

DISTRICTS.	PERSONS DISPOSED OF.						
	By Deputy Commissioners.	Cantonment Magistrates, Assistant Commissioners, and Extra-Assistant Commissioners at District head-quarters, including Jail Supdts.	By Tehseildars at District head-quarters.	By Honorary Magistrates at District head-quarters.	By Stipendiary Magistrates in interior of districts.	By Honorary Magistrates in interior of districts.	Total.
Nagpore	101	866	283	2,044	1,561	1,127	5,982
Chanda	131	936	..	..	1,494	7	2,568
Bhundara ...	279	1,086	6	351	1,201	42	2,965
Wurdah	65	401	64	..	599	367	1,496
Balaghat	297	579	244	..	161	195	1,476
Jubbulpore ..	142	2,105	1,390	617	1,449	163	5,866
Saugor	210	2,087	147	552	1,897	912	5,805
Dumoh	171	403	562	..	520	297	1,953
Seonee	173	361	395	287	632	393	2,241
Mundlah	386	331	351	15	77	..	1,160
Hoshungabad ..	11	861	254	..	988	1,429	3,543
Baitool	216	187	768	71	585	149	1,976
Nursingpore ..	205	1,039	406	272	323	1,100	3,345
Nimar	159	392	439	348	768	364	2,470
Chindwara ..	266	341	478	..	269	274	1,628
Raepore	168	2,223	54	161	1,180	..	3,786
Sumbulpore ..	278	668	211	..	702	..	1,889
Belaspore.. ..	213	1,178	164	..	768	129	2,452
Upper Godavery ...	80	109	..	..	272	..	461
TOTAL ...	3,551	16,153	6,246	4,718	15,446	6,948	53,062

It will be seen that—

(1) The Tehseeldars at head quarters of districts disposed of 24 per cent of all the persons who came for disposal before Stipendiary Magistrates there. At Jubbulpore the Tehseeldar seems to have been unduly weighted with the trial of criminal cases. He disposed of 790 cases with 1,390 persons, being considerably more than any other Tehseeldar during the year. The Deputy Commissioner has himself noticed this point for future attention.

(2) At the head-quarters of 10 districts, and judging by persons, Honorary Magistrates did 22 per cent of the work. At the head-quarters of the Nagpore district alone the percentage amounts to 62.

(3) In the interior of districts the work fell in the following proportions :—

To Stipendiary Magistrates	.....	69 per cent.
Honorary ditto	.....	31 „

In the Balaghat, Hoshungabad, Nursingpore and Chindwara districts, the major portion of the work in the interior was done by the Honorary Magistrates.

(4) Taking all the work together it was done in the following proportion :—

By Stipendiary Magistrates	.....	78 per cent.
By Honorary ditto	.....	22 „

Importance of Honorary Magistrates' Courts.

24. It will be apparent that the Honorary Magistrates form an important element in the Judiciary of these provinces. The Commissioner of Nagpore writes as follows : —

"In my judgment the magisterial work done by the Honorary Magistrates is well done, and what is very important, their Courts are popular. In some of the Honorary Magistrates' Courts the procedure is quite as good as it could be; in most it is moderately good. In some, however, the procedure is not quite so prompt as in the average of Stipendiary Magistrates' Courts. Deputy Commissioners generally appear to speak well of the Honorary Magistrates' work." And again : "In reference to the work of this year the figures rather seem to me evidence that the Honorary Magistrates' Courts supply a want which the people feel, and that they supply it in a shape which is highly acceptable to the people."

The Deputy Commissioner of Jubbulpore makes a suggestion worth quoting. He says—

"With a view to popularize the law regarding nuisances as far as possible, I purpose to make over the trial of all City cases within their competence to the Honorary Magistrates. That this is possible is one among many points in which Act XV. of 1867 is an improvement on Act XVIII. of 1864. I believe that in adjudging fines they will be more discriminating than Stipendiary Magistrates, and the people will learn something from seeing their natural leaders set themselves in opposition to what has been to them almost a prescriptive right to commit nuisances, and interfere with the convenience of their neighbours and the community generally."

Amongst the Honorary Magistrates there are a few who may not become very useful, and there are a few who might perform their business in better style than they do ;—also three Honorary Magistrates have been deprived of their office during the year. These drawbacks however scarcely affect the body of Honorary Magistrates. As a whole they are well spoken of, and the Officiating Judicial Commissioner begs to bring the services of these gentlemen to the special notice of the Chief Commissioner ; they continue to perform a large portion of the simpler Magisterial business of the country in a manner which is on the whole satisfactory to the Judicial administration and conducive to the convenience of complainants and witnesses with whom their Courts are popular.

Sessions Courts.

25. Statement VIII.—The total number of Sessions trials has increased this year under the provisions of Section 445 B, Act VIII. of 1869. 197 cases involving 372 persons were disposed of in Commissioners' Sessions Courts. In 1868 the number of cases disposed of was only 142. In the Sessions Courts of Deputy Commissioners 79 cases and 178 persons were disposed of.

26. In the Sudder Court of the Judicial Commissioner 36 cases came up for confirmation of sentences of death on 47 persons. 126 appeals were heard, and a large number of cases were dealt with under Sections 404, 405 and 434 Criminal Penal Code.

Sudder Court.

C.—THE ACTION OF THE TRIBUNALS OF ORIGINAL JURISDICTION ON ACCUSED PERSONS APPEARING BEFORE THEM.

27. *Statement* B2 shows how accused persons of all kinds brought before the Courts were dealt with. The following remarks on noteworthy points are submitted.

Class I—Offences against the State, the Public, and Justice.

Counterfeiting coin (5)—*Cognizable, Non-Bailable.*—19 persons were brought up for trial in three cases (one an old one); one case in each of the districts of Bhundara, Nursingpore and Nimar. Four persons in Bhundara, one person in Nursingpore, and nine persons in Nimar were convicted. The person convicted in Nursingpore belonged to a gang of coiners—Gosains—supposed to have come from Oudh, who passed their counterfeit coins in large quantities at the Birhman fair in 1868; six members of this gang are now in prison. The nine persons convicted in Nimar belonged to a gang of coiners who entered the district from Berar. They, as well as the persons convicted in Bhundara, were in possession of very excellent instruments for the manufacture of rupees. The Commissioner of the Nerbudda Division, however, says:—

"It is believed that there are no gangs of coiners resident in this part of the country."

The remark is perhaps applicable to the Central Provinces generally.

Diminishing or altering coin (6), *Passing or possessing bad or altered coin* (7)—*Cognizable Non-Bailable.*—91 persons came before the Courts. Some of these were connected with the coiners mentioned above. But the greater number were brought up for passing quicksilvered coppers,—a form of petty cheating, for which severe punishment is generally not required.

Making, using or possessing false weights and measures (10)—*Non-Cognizable, Bailable.*—146 persons were brought up, 120 were convicted The cases were most numerous in the Chanda, Jubbulpore, Saugor, Hoshungabad, Nimar and Chindwara districts. Offences of this kind no doubt frequently occur, but the standards of weight and measurement current throughout the country are so various and ill-defined that there may be exceptional difficulty in the way of prosecuting successfully.

Offences against public justice.

Omitting to give information of offence or giving false information (13)—*Non-Cognizable, Bailable*—159 persons were brought to trial—121 being convicted.

The Deputy Commissioner of Nursingpore, in which district these offences were most numerous, writes:—

"These were almost entirely deliberate attempts on the part of neighbours to get those against whom they bore a grudge into trouble. The usual feature was an accusation of theft of valuables, which a thorough investigation showed were in the possession of the complainant."

Disobedience of lawful order causing injury (16)—*Non-Cognizable, Bailable.*—141 persons are shown as brought up—83 were convicted. But half of these persons appertain to one district, *viz.*, Hoshungabad, and included persons who were amenable to punishment under the Income Tax Act, and who should have been shown separately.

Offences by public servants.

Taking valuable thing by or to influence public servant (24)—*Non-Cognizable, Bailable.* 63 persons were brought up only 34 were convicted. The numbers in 1868 were 99 and 69. It might hardly be reasonable to augur too favourably from this diminution. The Deputy Commissioner of Raepore writes :—

"It is usually by accident that such prosecutions are brought forward at all. If Native society encouraged such prosecutions, the offence itself would become rare. It is always a difficult matter to obtain evidence."

At the same time the better observance of the system under which the Courts and the Police are now worked, and in which some progress is made from year to year, affords less and less opportunity to corruptly disposed persons.

Breach of Police Act by Police Officers (31)—*Non-Cognizable, Bailable* — The number of persons brought up diminished from 94 in 1868 to 48 in 1869. The tendency continues, and doubtless rightly, to deal with policemen departally wherever possible.

False evidence, Forgery; &c.

False evidence (32)—*Non-Cognizable, Bailable.*—The number of persons prosecuted was 75—of whom 23 were convicted, and not all of these convictions were maintained in appeal. The numbers are greatest in Nimar. The Deputy Commissioner says :—

"The crime of false testimony is rampant in Nimar. No opportunity that promised success has been lost of prosecuting the offenders. Captain Scott has told me that in about one-half of the disputed cases in his Court one party or other, and the witnesses on one side, must be swearing to a deliberate falsehood."

And yet only six persons were prosecuted successfully. The offence is common, and prosecution may sometimes be negligently foregone. But when the commonness of the offence is contrasted with the comparatively small number of instances in which, notwithstanding the strong feeling in favour of putting it down, the offence is prosecuted, and with the still fewer convictions, it seems evident that however inclined the Courts might be to uphold a high standard, still, from various causes, a large number of successful prosecutions is at present not to be looked for.

Frivolous and vexatious complaint (39)—*Non-Cognizable Bailable.*—309 persons were punished This is a slight increase upon 1868. But the number is very unequally distributed among the several districts. Of the whole number, 166 persons were punished in the three districts of Nagpore, Baitool and Nursingpore alone. There ought to be greater equality. In several districts hardly any use at all appears to have been made of Section 270, Criminal Procedure Code, which authorizes awards of compensation for frivolous and vexatious complaints. Without wishing Magistrates to strain the law, or to refuse reasonable or even indulgent construction of complainants' motives, the Officiating Judicial Commissioner thinks that the power given under Section 270, Criminal Procedure Code, should not be so entirely overlooked as it appears now to be by some Magistrates, and the Magistracy have been specially addressed on the subject.

Forgery (40)—*Non-Cognizable, Bailable.*—45 persons were brought to trial,—of these 22 were convicted. The Deputy Commissioner of Nimar thinks that this offence also is unusually rife in his district, and gives an account of the successful prosecution in a remarkable case as follows :—

"The cause *celèbre* of the year has undoubtedly been the trial of an accomplished and notorious forger of twenty years' standing, named Kishen Rao. Such was his skill that in one instance he was shown to have induced a money dealer to purchase back for Rs. 1,000 a note he had issued for Rs 500 under threats of bringing him to grief for its issue. The dealer recognized the note as in his own handwriting and paid the money. But it was a forgery after all, and the real note was produced next day. Having escaped from the difficulty of proving such cases on several occasions, his audacity became unbounded, and the city of Boorhanpore, the

scene of his operations, may be described as having got into a state nothing short of a panic. At last his operations culminated in a bold and well planned attempt to ruin at one fell swoop the whole of the Native Magisterial and Police officials and the principal Mahajuns who had been active in prosecuting his former cases of forgery. A series of letters between these parties detailing a conspiracy for the destruction of some of Kishen Rao's books and valuable securities was skilfully forged, and by the aid of accomplices in the Police was "accidentally" found in the proper place. A criminal charge was then brought by Kishen Rao against the Honorary Magistrate, the Inspector of Police, and two respectable Mahajuns of the city. This broke down, however, owing to the suspicious character of the documents, and Kishen Rao was committed for trial on a charge of forgery and convicted by the Commissioner's Sessions Court. The continued series of cases connected with forgery, false evidence, false accusations and bribery which had disturbed Boorhanpore for three years previously has now entirely ceased, and there can be little doubt, I think, that in Kishen Rao a "vermin" of the first water has been trapped."

Public Nuisances.

Public Nuisances under the Penal Code (42)—Cognizable and Non-Cognizable, Bailable.—Figures for four years are given below :—

	Offences.	*Persons convicted.*
1866	...	1,505
1867	333	864
1868	268	409
1869	326	561

In former years prosecutions were not always legal. They were then somewhat discouraged. They remain at a low figure, and are believed to be lawful. They are also, owing to improved Municipal administration, less necessary than before. Of the 561 persons convicted, 160 appertained to the Saugor district, 100 to Hoshungabad, and 74 to Nagpore. In other districts matters which might be taken notice of as nuisances under the Penal Code may be brought more under the cognizance of the Municipal bye-laws. There were some prosecutions on account of an extraordinary practice among the people of the eastern and southern districts (which was specially brought to the notice of the Chief Commissioner during the year) of burying their dead in the beds and embankments of tanks used for drinking purposes.

Nuisances under Police or Municipal and Local Acts (43)—Cognizable Bailable.—Here the cases and persons have continued to decrease:—

	Persons prosecuted.	*Persons convicted.*
1867	2,851	2,672
1868	1,839	1,661
1869	1,308	1,192

The steady diminishing tendency here is satisfactory. Other causes may operate, but on a general view it shows that on the part of the authorities experience has induced discretion, and on the part of the public a willingness to conform to an improved standard. The Deputy Commissioner of Wurdah however notices that cases of this kind are still taken up occasionally in a manner that is not quite legal. A special report was submitted to the Chief Commissioner during the year, the result of which is that the Police now enforce the provisions of Section 34, Act V. of 1861, only in towns where there is a resident Magistrate. Previously persons accused of petty nuisances were sometimes sent under arrest with witnesses in the case even 30 or 40 miles in order to appear before a Magistrate. Out of the 1,192 persons convicted 354 appertain to the Jubbulpore, 197 to the Nagpore, and 119 to the Nimar district. These three districts contain large cities.

Offences affecting the Public Peace.

Rioting or unlawful Assembly (44)—Cognizable, Bailable.—There were no serious cases. Of 215 persons convicted 122 appertain to the Raepore district, and of these, 50 persons were concerned in one case, which after all is pronounced by the Deputy Commissioner to have been rather of the nature of Criminal trespass than of unlawful assembly.

Totals, Class I.

Altogether in Class I., which comprises 48 headings of offences, 5,132 persons were brought before the Courts. Of these 4,152, or 81 per cent, were convicted and punished. This high rate is due chiefly to escapes, frivolous and vexatious complaints, nuisances and affray.

Class II —Offences against the person. *Murder* (48-54), *Attempt to Murder* (55), *Culpable homicide not amounting to Murder* (56).—*Cognizable, Non-Cognizable.*

The figures stand thus :—

	No. of offences.	*Accused brought up.*	*Convicted.*
Murder.....	94	148	86
Attempt to Murder	25	33	20
Culpable homicide	30	53	30
	149	234	136

These offences were of the usual kind. Unfortunately witchcraft continues to induce murder. In two cases women were murdered in the belief that they could, and would not stay the spread of cholera. In one of these cases the chief offender was hung on the spot, and his execution there is reported to have been impressive. The sentence of transportation for life passed on eleven of his associates was commuted by the Government to three years' imprisonment.

The distinction between murder and culpable homicide not amounting to murder is now well discerned both by the Committing Magistrates and the Sessions Courts.

Exposure of infants or concealment of birth (60)—*Cognizable, Bailable* —17 persons were brought up, 10 were convicted. It can hardly be doubted that many offences of this kind which did not come to light occurred during the past year of distress among the poor.

Hurt (63) *Non-Cognizable, Bailable.*—Hoshungabad is the only district which shows a considerable number of cases and persons under this heading. Judging generally, it may be concluded that in other districts cases of petty hurt are sometimes disposed of as simple assaults. To this there may be no great objection, and it is convenient in procedure. The rate of conviction was 47 per cent. which does not seem very good.

Wrongful restraint and confinement (68-70)--*Cognizable, Bailable.*— There has been a decrease here,—589 persons were brought up, against 814 persons in 1868. This may be owing to more generally correct views as to what constitutes these offences, especially that of wrongful restraint. But errors have have still had to be noticed on this head ; and they were not promptly corrected when pointed out in the Saugor district. The Police strained the law, and Magistrates have also done so in dealing with complaints of rescue of cattle while being driven to the pound. A good deal of difficulty appears to be felt in ranging the acts complained of in these cases under the proper head of offence, and greater care is needed in dealing with them. The Deputy Commissioner of Wurdah says that—

" Cases have occurred in which there has been no personal obstruction and the only way apparently of punishing the rescuing parties was by bringing a charge of theft which would be rather strained."

And the Deputy Commissioner submits that the Law on the point is rather imperfect. In this the Officiating Judicial Commissioner concurs.

Assault or use of Criminal force (71), *Criminal intimidation or insult* (72). *Non-cognizable, Bailable.* The following Table shows the number of cases taken cognizance of in each district during the year under the cognate headings of Hurt, Affray, Assault, and Criminal intimidation or Insult :—

Districts.	Hurt.	Assault.	Affray	Insult, &c	Total.
Nagpore	15	1,037	3	137	1,192
Chanda	10	129	1	4	144
Bhundara	6	144	1	56	207
Wurdah	12	238	13	39	302
Balaghat	1	113	1	4	119
Jubbulpore	23	449	33	39	544
Saugor	57	634	22	207	920
Seonce	34	455	25	3	517
Dumoh	96	11	1	4	112
Mundlah	1	84	2	4	91
Hoshungabad	218	311	7	88	624
Baitool	12	289	9	7	317
Nursingpore	15	485	27	131	658
Nimar	40	252	2	50	344
Chindwara	5	233	10	6	254
Raepore	35	178	2	1	216
Sumbulpore	1	116	14	2	133
Belaspore	13	108	6	3	130
Upper Godavery	1	56	3	19	79
Total.....	595	5,322	182	804	6,903

This Table shows considerable inequalities, whether it be in the degree to which the Courts in the several districts are resorted to for redress, or in the manner in which Magistrates deal with complaints of such offences. The tendency to treat as many as possible of these cases as assault cases has already been alluded to. But the relative inequalities in the aggregate of these four headings of offences are also remarkable. No doubt special causes have operated in some districts during the year to keep people from the Courts in petty causes, as the cholera panic coupled with famine in Chutteesgurh and the Northern districts. Several Deputy Commissioners refer to the restrictive effect of the complaint stamp. In a year of such distress it may in some cases have been too prohibitive. Its reduction from one rupee to eight annas is however now imminent.

Regarding assaults, the percentage of accused persons appearing who were convicted remains low. The percentage of the accused persons on whom summons issued who were ultimately convicted is of course much lower; and it remains a matter of regret that so many summonses have to be issued to accused persons and witnesses whose appearance after all proves unnecessary. The Comsioner of Nagpore expresses himself as satisfied with the manner in which complaints are examined in his Division before the grant by the Magistrates of summonses. Most of the other opinions expressed in the reports are not so favourable. The Commissioner of Nerbudda Division while asserting improvement, writes;—

"There are still however in this Division some Courts into which it is difficult to inculcate right procedure in regard to the examination of complaints in these (generally) petty cases."

And the Commissioner of the Chutoesgurh Division quotes the Deputy Commissioner of Raepore to a like effect. The Officiating Judicial Commissioner himself continues on inspection of cases to see instances of what is apparently with some Magistrates a habit of granting summonses against accused persons and witnesses on a very superficial examination of the complainant, and on an imper-

fect comprehension of the complaint; and it has been necessary again to address the Magistracy on the subject. But Magistrates have also been cautioned against falling into the other extreme of ill-judged refusals of summons. There should on the one hand be nothing like denial of redress when redress may be due; and on the other hand the examination of complainants which the law prescribes as a check against the needless summoning of parties must be a real examination and must not appear recorded in the form merely of a loose reiteration of some of the general statements made in the written complaint, which often leave much doubt both as regards the specific acts complained of and as regards the grounds on which the attendance of the witnesses cited is desired. To this end the Deputy Commissioner of Seonee goes so far as even to say—

"I should be inclined to recommend the abolition of written petitions in cases of this kind."

This would hardly be feasible. But the right of oral complaint might perhaps not be so entirely ignored as it practically is now. No doubt were the oral complaint reduced to writing by the Magistrate himself, the examination of the complainant would be much more likely to be thorough.

Buying or disposing of any person as a slave (75)—*Cognizable, Non-Bailable.*—The convictions of five persons were quashed on revision as illegal. There was no reason to believe that the offence had been committed or contemplated.

Enticing a married woman with criminal intent (79)—*Non-Cognizable, Bailable.*—Only 46 persons were convicted out of 148 who appeared. The numbers in 1868 were 67 and 241 respectively.

Adultery (81)—*Non-Cognizable, Bailable.*—Only 32 persons were convicted out of 132 who appeared. The numbers in 1868 were 65 and 157 respectively. The diminution in this difficult class of cases is satisfactory. In regard to adultery the Deputy Commissioner of Jubbulpore writes :—

"In no class of cases is the sifting of the first complaint more essential."

And the Commissioner of the Nerbudda Division writes—

"As regards adultery I venture to express my own agreement in the opinion expressed last year by the Judicial Commissioner to the effect that on the whole the inclusion of adultery among the offences of the Penal Code sometimes presents itself as a matter of embarrassment and even of regret, rather than of satisfaction or necessity. It is certain there is no class of offence easier to trump up against an innocent person, while on the other hand it is one that the majority of offenders will always practice with entire impunity. The charge is hardly ever brought at all except when the poorest class of society only are involved. In other strata of society the offence is always hushed up or otherwise arranged. On the other hand the marriage tie is so loose amongst many of the lower classes in this part of the country, that many women are so placed as to be hardly capable of being the subjects of the offence (as defined by law) at all. Then again, it is excessively difficult to award proper punishments, for the moral guilt and the injury inflicted vary in different cases from a black enormity to a fault of very trifling magnitude, and it is almost impossible to weigh the extent of the fault without a much greater knowledge of attendant circumstances than can ordinarily be gained by the Court trying the case."

These difficulties are generally felt. They are often met by light sentences. But sometimes sentences passed on imperfect evidence and superficial views have to be revised.

Totals, Class II.

Altogether in Class II., comprising 37 headings of offences, 15,597 persons were brought up. Of these 6,805 or 43 per cent were convicted. The conviction rate seems low. But this is chiefly owing to discharges and acquittals in cases of petty breaches of the peace which are in themselves not very important.

Class III.—Offences against property with violence.

Dacoity (85) *and Robbery* (87-91).—*Cognizable, Non-Bailable.*—263 persons came before the Magistrates. 46 of these were transferred to the Rewah Courts, 4 died, and 1 escaped, leaving 212 for disposal. Of these 124 or 59 per cent were convicted. In 1868 a a larger number of persons, *viz.*, 362, were brought up for these offences. During 1869 it is satisfactory to know that the convictions included more than one noted leader, and in one case at least led to the breaking up of a notorious gang.

House-breaking and House-trespass in order to commit theft (93).—*Cognizable, not Bailable*—No less than 7,075 persons were brought up for trial against 2,532 in 1868,—6,343 were convicted. As remarked by the Deputy Commissioner of Jubbulpore—

"The famine accounts for the number of cases and the large proportion of convictions. Most of those brought up pleaded guilty, and, nearly all being inexperienced thieves, the work of the Courts was simple."

Offences against property without violence.

Theft of cattle (97)—*Cognizable, Non-Bailable.*—2,051 persons were brought up for trial, and 1,755 persons were convicted. The numbers last year were 1,266 and 987 respectively. In the Saugor district, to which 257 persons appertained, the Deputy Commissioner reports that the thefts were committed in order to the sale of the cattle; on the other hand the Deputy Commissioner of Belaspore, to whose district 250 persons appertained, writes, that the offence was—

"Peculiarly difficult to grapple with, as a large proportion of the cattle stolen were killed and eaten on the spot, and when the Police arrived nothing but the skin was to be found."

86 offences of this kind occurred in Sumbulpore against 37 in 1868, and the Deputy Commissioner says :—

"I found that at least one half of them were mere petty thefts of sheep, goats and pigs, which were evidently stolen by the same class of hungry wretches as committed the bulk of petty thefts of other kinds."

On the whole the crime of cattle theft seems to have no peculiar significance in this part of India.

Theft ordinary (98).—*Cognizable, Non-Bailable*—10,813 persons were brought up for trial, and 9,455 convicted, over double the numbers in 1868. The proportion of convictions is large. Enough has been already said to show that the offenders were mostly the starving poor, who at once confessed to the charge, and that a large number of the offences were not of a serious type. The Commissioner of Nagpore writes,—

"The Deputy Commissioner of Bhundara (para. 10 of his report) mentions having let off some of the thieves who confessed their guilt before him, with a simple warning. I have asked him further upon this matter, and learn that there are about 25 cases in all which he so treated. They were all grain thefts in which the accused had been sent up to him for enhanced punishment. The men were more or less emaciated, the Bhundara Jail was overcrowded, and cholera had just entered the Bhundara prison. It would have been quite wrong to send these men into the Bhundara Jail, or into the tents where the cholera camps had been formed. The men were physically unfit to be whipped, it was the rainy season, and the men could not be easily accommodated elsewhere. Moreover the men had suffered some sort of punishment, insomuch that they had been hauled before the Tehseeldars and sent in to Bhundara. The Deputy Commissioner therefore warned the men and sent them on to the relief works. So far as I can learn these persons did not again offend. It would perhaps have been more regular to have convicted the accused and to have sentenced them to a day's imprisonment. But on the whole, I think that the Deputy Commissioner exercised a very proper discretion in not sending these offenders to Jail."

Dishonestly receiving stolen property (99)—*Cognizable, Non-Bailable.*—913 persons were brought up for trial, and 672 convicted. Here too the numbers are half as large again as in 1868. The Commissioner of the Nerbudda Division observes that :—

"The total number of offences is not perhaps very remarkably small as compared to the number of these offences which would give receivers profitable occupation."

The implication is that receivers are fully prosecuted. On the other hand many of the offenders under this head are not professional receivers, but only thieves.

Criminal breach of trust (101).—Some of these offences have been made cognizable by Act VIII. of 1869. On this head the Deputy Commissioner of Jubbulpore writes as follows :—

"The new power conferred on the Police of taking up these cases requires the most careful watching. A well-meaning Chief Constable may easily go wrong with regard to it, while a corrupt man has great opportunity for clothing acts of oppression with the garb of legality. A case in point has recently occurred."

In all 319 persons were brought up, of whom 172 were convicted. Last year the numbers were somewhat less. The Deputy Commissioner of Nimar writes :—

"The increase of 20 cases of criminal breach of trust is due almost entirely to its having been made cognizable by the Police. Most of the cases were of workmen in the Railway absconding with the tools entrusted to them by their employers, and in such cases prompt action by the nearest authority alone can prevent the escape of the offenders. When a warrant had to be obtained these cases were seldom reported."

Cheating (102)—*Non-Cognizable, Bailable.*—In previous reports objection has been taken to improper inclusion under this heading of offences which more properly come under other headings. In this respect there may now be some improvement. During a year of unusual crime the number of persons charged with cheating has fallen to 350 from 471 in 1868. The proportion of convictions was only 45 per cent.

Mischief by fire (106)—*Cognizable, Non-Bailable.*—There were 66 cases. 61 persons were brought up; of these 25 were convicted. The Deputy Commissioner of Chanda, in which district 10 cases occurred, regards them as—

"A dangerous feature," remarking that "there is reason to believe that firing the houses of the well-to-do inhabitants is a traditional course among the Chanda poor to intimidate holders to sell grain cheap during a time of scarcity."

It is added that :—

"Happily however, the aggregate of these cases is not large."

Criminal trespass or house trespass (107).—*Cognizable, Non-Bailable.*—1,133 persons were brought up. 599 were convicted. This is an increase on last year. But it appears that the increase here is also due to the famine The trespasses are believed to have been chiefly in view of committing theft, though that could not certainly be alleged.

Totals, Class III.

Altogether in Class III., offences against property, 24,444 persons came before the Courts, and of these no less than 20,130 persons were convicted. The proportion of conviction (83 per cent.) is large. The reasons are in the main inferable from what has been stated when treating of the state of crime, and when noticing the chief heads of offence in detail. Briefly, as remarked by the Commissioner of Nagpore when treating of these offences—

"The real explanation of the large proportion of convictions is that the accused nearly always confessed."

Class IV.—Offences not included above.

Vagrancy, and bad habit and repute (112-113)—*Cognizable, Bailable*—Only 70 persons were ordered to find security out of 167 persons brought up. The numbers in 1868 were 279 out of 447, and in 1867 they were still larger. But in those years the Law was misunderstood, and security was often illegally required. Some of the reports seem to imply that the Police have given up prosecuting, hopeless of success. The Officiating Judicial Commissioner does not know that this is really the case at the Station-houses. Every possible case may not be taken up. But so far as he could judge from enquiries when on tour, it seemed to the Officiating Judicial Commissioner that generally the Police would prosecute when they legally could. Some Police Officers would like a more stringent law; but in these Provinces this appears uncalled for.

Totals, Class IV.

Altogether under Class IV. 570 persons appeared, of these 243 were convicted. The proportion of conviction, though apparently low, is perhaps fair for offences of this class.

Breaches of Special Laws.

Breaches of Laws relating to excise on Spirits and Drugs (115).—*Cognizable, Bailable*—748 persons were brought up against 717 in 1868. The number has thus not materially increased, 591 persons were convicted. Considering the extent of country and the ease with which the Law might be infringed, the fewness of these offences remains remarkable.

Salt and Saltpetre (117).—*Non-Cognizable, Bailable.*—802 persons were brought up, 783 being convicted In 1868, 1,015 persons were brought up. The decrease is satisfactory. The Deputy Commissioner of Sumbulpore explains as follows:—

"The falling off has been caused by the relaxation in the Custom laws on the 1st August last, regarding the quantity of salt that may be in a person's possession within Customs limits uncovered by pass. Since these rules came into force there have been only 20 cases sent up for trial. I am of opinion that this relaxation will be attended with much good without entailing any loss of revenue, for there can be no doubt that the trouble that the people were put to in the matter of obtaining passes interfered considerably with the petty trade of the interior, and rather than be at the trouble of obtaining passes for small quantities of salt they preferred to take their chance of conveying it across the line undetected."

Stamps (118)—*Non-Cognizable, Bailable.*—Prosecutions under this head continue to decrease. In 1868, 647, and in 1869, 351 persons were prosecuted. This may be regarded as satisfactory It seems to show that prosecutions are steadily becoming less necessary, and that unnecessary prosecutions are not now initiated.

Municipalities (123)—*Cognizable and Non-Cognizable, Bailable.*—Here too prosecutions continue to diminish in number, and contrary to expectation. For as bye laws came into force, so an increase might have been expected. But the number of persons prosecuted has fallen from 1,564 in 1868 to 719 in 1869, of whom 635 were convicted.

Forests (125)—*Cognizable, Bailable.*—577 persons were dealt with against 731 in 1868; 469 persons were convicted. It was necessary to issue Circular instructions during the year in order to correct defective procedure which was becoming prevalent in these cases. But the law and the rules in relation to forest offences are admittedly imperfect.

Income Tax (129)—*Non-Cognizable, Bailable.*—302 persons were brought up, and 223 were convicted. The prosecution in some cases was illegally initiated; hence the discharges.

On the whole then 50,265 persons were brought before the Courts, as against 43,815 in 1868. They may be shown thus :—

Grand Totals.

	Brought up.	Convicted by Magistrates.
Cognizable by the Police.....	29,166	23,919
Not Cognizable.....	21,099	10,881
Total ..	50,265	34,800

And 350 were convicted by Sessions Courts; of these latter, 2 were acquitted by Sudder Court, on their sentences being referred for confirmation.

The percentage of convictions in Police cases is unusually good for reasons peculiar to the year and which have been more than once stated. The percentage of convictions in other cases is 52; this is rather low. In 1868 it was nearly 54. The remarks under the several heads of offence which have been given above will have indicated the principal causes of this slight falling off. Only 146 persons were undisposed of at the close of the year (*vide* Statements II. and VIII), of those 25 stood committed to the Courts of Sessions.

D.—Punishments.

28. Punishments (which form the chief practical meaning and final cause of criminal justice) are of kinds and degrees. They are noticed below in each respect separately.

Kinds of punishments.

29. *Firstly* then, as to kind.—Statements B4, III., and IIIA. show that 34,645* persons were punished in the following proportions, *viz* :—

* Besides 79 persons ordered to furnish security.

a. Fined ...	Fined only	15,323	
	Fined and whipped.....	21	
	Total fined	15,344	per cent. 44·4
b. Imprisoned ...	Imprisoned only	6,790	
	Imprisoned and fined ..	2,067	
	Imprisoned and whipped.	678	
	Total Imprisoned..	9,535	27·5
c. Whipped. ...	Whipped only	9,677	27·8
d. Transportation.	Transportation (terms) ...	7	
	Do. (life)	48	
	Total.....	55	·2
e. Death		34	·1
	Grand Total	34,645	100

Out of the total number of persons punished, the percentage of persons fined or whipped, *i. e.*, not sent to jail, is 72·2 per cent. It was 79 in 1867 and in 1868 also.

a. Fines.

In 1867 out of every 100 persons punished 67, and in 1868 64 were punished with fine only. During 1869 the percentage fell to 44. The non-cognizable cases which usually end in a small fine were fewer than in former years; their relative proportion to other offences became still lower by reason of the extraordinary increase of those other offences, and an unusually large number of persons who came before the Courts for pun-

ishment were in a state of destitution, and it would have been inappropriate to punish them with fine only. These are the chief reasons why the proportion of punishments with fine only is for 1869 specially low.

b. Imprisonment.

As punishments by fine diminished, so punishments by imprisonment increased. In 1868 only 21 out of every 100 offenders were punished with imprisonment. During 1869 the proportion rose to 27 per cent. But this was to have been expected. Many petty offenders who in ordinary years might have been fined, and some too who might have been whipped, had to be sent to prison for short terms because they could neither pay a fine nor bear a whipping.

Solitary confinement was adjudged in only 52 instances. It might now be more frequently ordered, cell accommodation having become more general in the Jails.

c. Whipping.

Although some offenders were sent to prison who might in ordinary years have been whipped, yet of all persons punished the proportion punished with whipping in 1868 doubled in 1869. The proportion of petty offences against property punishable with whipping having been extraordinarily large, and the bulk of these offences having been committed by classes of persons for whom whipping was considered the best punishment, it followed that during 1869 whipping took to a considerable extent the place of fines in the proportions of all punishments.

Of all persons liable to whipping 55 per cent were whipped. In 1868 the proportion was 44, in 1867, 50 per cent. The proportion whipped in 1869 might for the above reasons have been even higher, but that some offenders were too reduced by want to be subjected to the punishment.

Of persons liable to whipping in lieu only of other punishments, 57 per cent were whipped.

Of persons liable (so far as was known) to whipping in addition to other punisnment, 40 per cent were whipped.

Of all persons whipped, 55 per cent were juveniles.

Of all persons whipped, only 7 per cent were whipped in addition to other punishments.

d. Transportation.

The number of persons transported for terms is smaller than perhaps it might have been had not sentence of transportation for terms been discouraged, owing to places of transportation being full. The number of persons transported for life (for murder) has increased from 22 in 1868 to 43. This has been partly owing to the distinction between murder and culpable homicide not amounting to murder being more perfectly discerned. In the case of 12 persons, however, the Government was pleased to commute the sentences of transportation for life to imprisonment for periods.

e. Death.

Of the 43 sentences of death passed during the year, 32 were confirmed. It is only when there appears in cases of murder to be an entire absence of circumstances which can properly be regarded as of an extenuating character, that sentence of death is passed by the Courts of Session.

Compensation to injured persons.

Rupees 23,216 were ordered to be paid to injured complainants under Section 44, Criminal Procedure Code. This was rather more than the amount thus ordered to be paid in 1868. This result might have been looked for under the enlarged scope given to the law on the subject by Act VIII. of 1869. The proportion realized and paid was however somewhat less, *viz.*, 34 as compared with 53 per cent.

Security.

Seventy-nine persons were ordered to find security for good conduct under Sections 295, 296 of the Criminal Procedure Code. In the previous year the number of such persons was 279. But in the case of a considerable proportion of these the orders were illegal and had to be cancelled. In six districts no persons were thus dealt with during the year.

Maintenance of wives, &c.

The number of persons ordered to maintain wives and children fell from 134 in 1868 to 119 in 1869. A larger number might have been expected in a year of dearth.

Amends for frivolous complaints.

Three hundred and nine persons were ordered to pay Rs. 1,152 as amends for frivolous complaint.

Differences in districts as to kinds of punishments.

30. The foregoing remarks deal with the totals of each kind of punishment, and their relative proportions for all districts taken together. But these proportions vary in different districts as the following Table shows :—

I.

DISTRICT.	Total number of persons punished by Magistrates.	Proportions per cent. punished with— Fine with or without whipping.	Imprisonment with or without whipping.	Whipping only.	Percentage of persons whipped out of total number of persons liable to whipping.
Nagpore ...	3,100	62	26	12	44
Chanda ..	1,725	28	55	17	24
Bhundara ..	2,049	16	22	62	81
Wurdah ..	816	71	18	11	45
Balaghat ..	1,159	22	34	44	64
Jubbulpore ..	4,403	33	32	35	62
Saugor ..	3,494	59	20	21	48
Dumoh ..	1,382	14	44	42	52
Seonee ..	1,523	48	25	27	61
Mundla ..	688	34	34	32	55
Hoshungabad	1,915	74	21	5	21
Baitool ...	1,055	73	19	8	24
Nursingpore	1,973	65	23	12	35
Nimar .	1,301	69	23	8	32
Chindwara	1,050	62	20	18	43
Raepore ...	3,050	37	23	40	66
Sumbulpore..	1,454	29	25	46	68
Belaspore ..	1,799	18	29	53	72
Upper Godavery	278	78	19	3	8
Total ..	34,304	44	28	28	55

This Table seems to show that the tendencies to fine, or to imprison, or to whip, varied greatly in different districts. Nagpore fined most, Chanda imprisoned, Bhundara whipped; and so on down the Table. The free use of whipping in the more distressed districts of Bhundara, Balaghat, Jubbulpore, Dumoh, Raepore, Sumbulpore and Belaspore is as conspicuous as is the opposite tendency in Nagpore, Chanda, Wurdah, and in districts of the Nerbudda Division, where fine was the favourite punishment. Much of this difference in the practice of the Courts might no doubt be reasonably accounted for. Whipping may be more appropriate in Chuteesgurh and eastern Bhundara than for the criminals of the Nerbudda valley; and when prisons were full and cholera rife there was perhaps less than ordinary scruple in whipping pauper offenders in petty cases. But the Deputy Commissioner of Saugor reports that there are some juveniles in jail who ought to have been whipped and released, and it was found in mid-year that in Nimar the Deputy Commissioner had not provided triangles. And there

is probably something in custom. If Magistrates did not allow themselves to get much into groves, means of administering punishment could hardly remain unsupplied. And as in this way whippings have not been ordered when they would have been appropriate, so it would be perhaps too much to affirm that the same tendency may not occasionally have had opposite results. The rule however that whipping should be ordered only when on due consideration it appears, with reference to the circumstances of the particular offender and the particular offence, to be the 'best punishment,' is, the Officiating Judicial Commissioner believes, well-known to the Magistrates And for the petty thefts and house-trespasses in which the punishment is chiefly used, and for offenders in these cases in these Provinces, the punishment of whipping must apparently have a certain general fitness.

31. Having so far treated of the kinds of punishments the following remarks occur :—

Degrees of punishment. *Secondly*, as to the degrees of punishments awarded.

Imprisonment. The general extent of the terms of imprisonment is seen more clearly this year by reason of the minuter classification introduced which shows imprisonments for terms between 15 days and two months separately. That class is shown as including about 4-7ths of the imprisonments between 15 days and 6 months, which again when taken with the imprisonments for terms of 15 days and under include 89 out of every 100 sentences of imprisonment awarded. This tends to confirm what the Officiating Judical Commissioner observed last year, viz., that the bulk of the imprisonments cannot be said to be absolutely long. That the Magistrates inclined to moderation in sentences of imprisonment during 1869 appears also from a comparison of the figures for 1869 with those for 1868 as below :—

	Percentage of persons out of total number imprisoned.		
	1869.		1868.
For 15 days and under.....	19		17
„ 2 months and under.....	39	70	66
„ 6 months and under.....	31		
„ 2 years and under.....	10		15
„ 7 years and under.....	1		2

The lenient tendency here shown is of course in some degree owing to, and was to have been expected from the exceptional increase in, the number of comparatively very petty offences requiring the lightest punishments during the year, and to short imprisonments having unavoidably in some cases taken the place of fines and whipping as punishments. But after making due allowances the figures seem to indicate that the terms of imprisonment have not on a general view for the whole Province been fixed on an immoderately high standard. The Officiating Judicial Commissioner is glad to be able to add that during the year fewer instances have come before him of ill-judged sentences.

The Commissoner of Nagpore, however, has some remarks on the insufficient severity of sentences on habitual criminals. He writes :—

"On several occasions during the year I have felt compelled to point out that the sentences awarded against habitual offenders were too lenient. The Deputy Commissioner of Nagpore has taken steps to provide that Subordinate Magistrates shall send on to his Court cases of habitual offenders for whom enhanced punishment (under Section 277 of the Criminal Penal Code) may be suitable. But I am sure that the matter needs closer attention in all the districts of this Division. The greatest enemies of the public are the few, for I believe them to be comparatively very few, pilferers and thieves, who haunt our cities and towns and come into jail time after time. Offenders of this type are found most frequently at Nagpore and Kamptee, but one or more are found in most outlying towns and occasionally in rural villages. I fully believe that the Police do their duty in bringing to a Magistrate's notice any previous convictions against an offender, but I am not at all sure that Magistrates appreciate the importance of inflicting enhanced punishment on habitual criminals."

These remarks command a general concurrence. It is however sometimes difficult for the Subordinate Magistracy to be quite sure whether the accused is or is not an habitual criminal. Means to this end are at present imperfect. But a scheme has been submitted to the Chief Commissioner, and is now under consideration in the Police Department, which will probably make the registers of heinous offenders more complete and more practically useful than they are now. Magistrates will then less frequently be liable to mistake habitual for unhabitual criminals. But on the other hand it may sometimes happen—and especially in Provinces like these, where crime is notably light and easily dealt with—that Magistrates properly hesitate to treat a person with very exceptional severity for his second or even third offence, when the offence under trial,—committed perhaps after a lengthened interval of apparent abstinence from crime—appears petty in itself; and in denouncing classes of criminals the danger of inducing oscillations from unwise lenity to ill considered severity has to be guarded against. The point is well put by the Deputy Commissioner of Raepore, who writes :—

"I am inclined to think that punishment for second and subsequent convictions is not severe enough. It is impossible of course to lay down any general rule, as in each case the punishment has to be weighed with reference to the circumstances exhibited as regards each individual offender. I pointed this out to the officers presiding over the Station Criminal Court during the year, but still, in only 14 out of 155 cases of second convictions, did the punishments awarded exceed six months imprisonment. No doubt in many of the cases the thefts were of a very petty kind, and the year itself was an exceptional one, in which opinion rightly inclined towards leniency rather than severity. Ordinarily however it must be considered that those who come before the Courts for a second or third time on charges of theft are criminals belonging to a class who live by thieving. For one theft traced home to them, they generally commit several in which detection has not followed the offence, and therefore unless exemplary punishment is awarded in such cases there is a fear that the class itself will be encouraged, and perhaps augmented, owing to the comparative immunity which the law as administered has unconsciously permitted."

Fines.

The general incidence of imprisonments then seems fair, but the punishments with fine cannot yet be viewed with equal contentment.

The fines imposed on each of the 17,411 persons who were fined, stood, as regards their amounts, in the following proportions, viz :—

Not exceeding	Rs.	5	...	... 75	per cent.
Do.	"	50	...	... 24	"
Exceeding	"	50	...	... 1	"

Total fines imposed Rs. 1,35,386.

On the returns for 1867 and 1868 particular notice was taken by the Chief Commissioner of the apparent over severity of fines generally. During 1869 in some districts fines have been somewhat lighter. The injunctions issued have had some effect, and in a year of great distress the Magistrates naturally inclined to lenity. But although 75 per cent of the fines have not exceeded Rs. 5 each, still the mass of those fines seem pitched too high with reference to the circumstances of the offender, and the need of greater discrimination is still acknowledged; several of the reports are in this sense. The Commissioner of Jubbulpore, referring to an opinion expressed by the Deputy Commissioner of Saugor, observes that European Magistrates cannot pitch their fines so correctly as Native Magistrates do. This may be true in some cases. But Native Magistrates also not unfrequently err equally on this head. The Deputy Commissioner of Jubbulpore writes in the following terms :—

"As far as I have observed the tendency to excessive fines is greatest in cases where fine is the only punishment adjudged. In cases where imprisonment would not be a primary punishment, this is the result of thoughtless severity. For instance in very petty cases 5 rupees is-

sometimes dealt all round when, had the position of the delinquents been considered, Rs. 1, Rs. 2 or Rs. 3 would have been given. But in other cases Magistrates sometimes appear to reason something as follows.—"Imprisonment is the only punishment commensurate with the offence, but fine is in every way a better punishment when it can be given; I will therefore impose a fine which shall be not less punitive than the imprisonment which, other considerations apart, ought to have been adjudged." Fines thus devised are almost intended to ruin the person fined, and in the majority of instances perhaps are not paid. A crushing penalty of a lower kind (fine) is made the equivalent of the just measure of the offence estimated in a higher kind of punishment (imprisonment). Again in one instance I found a Magistrate fining when there was no chance of payment, in order to increase the term of imprisonment which he had power to award. All these are errors and should be avoided."

Another error is pitching a fine high on a person without means of his own, in the expectation that his well-to-do connections will pay it for him. The subject is very important, because as in the majority of cases* fine is in ordinary years the punishment inflicted, it follows that so long as it has to be observed that the fines generally are too high, the Judiciary remains in a manner exposed to a general charge of over severity. The Officiating Judicial Commissioner cannot but regret that some Magistrates are slow in appreciating the injunctions they receive on this head, apparently preferring to adhere to grooves which classes of cases seem to fit, rather than exercise a thoughtful discrimination in each case as it comes before them. General injunctions having proved only partially successful, the remedy appears to lie in frequent Court inspection and careful instruction of the subordinate Magistracy. This is chiefly in the hands of Magistrates of districts and Commissioners, and it has been duly enjoined by the Officiating Judicial Commissioner.

*67 Per cent in 1867.
64 Do. 1868.

Balancing arrear realizations of 1868 against those for 1869 to be made in 1870, it may be said that the realization rate is now 79 per cent. Heretofore lack of discrimination in imposing the fines has been regarded as the primary and chief cause of deficient realizations. That view still prevails. The total omission to realize arrears in the Hoshungabad district is however remarkable, and has been made subject of special enquiry.

Whippings.

Whippings are not too severely administered; the average number of stripes varies from 4 to 16 in the several districts, and is 13 for the whole Province.

Differences in districts as to degrees of punishments.

32. The foregoing remarks on the degrees of punishment have however only a general application to the whole of the Courts taken together. And in order to show the comparative weight of the punishments with fine and with imprisonment inflicted by the Magistrates in each district, two Tables (II. and III.) are given on the opposite page. They have to be looked at from some points of view in connection with the Table (marked I.) given in para. 30 above.

These Tables show that the punishments inflicted in some districts were comparatively light and in others comparatively heavy. Reasons suggest themselves for the differences shown in some cases, but in other cases the differences are not readily accounted for. The classes of offenders and of offences were very similar in Raepore and in Belaspore, and although the proportion of imprisonments to all punishments was less in Raepore than in Belaspore (see Table in para. 30), yet in Raepore only 38, while in Belaspore 60 in every 100 sentences of imprisonment exceeded two months. In respect of fines also 33 per cent in Belaspore exceeded Rs. 5 while the percentage in Raepore was only 19. The deduction is, either that the sentences in Raepore might have been properly heavier, or in Belaspore lighter. The test of fine realizations would be in favour of the lighter sentences in Raepore, where 96 per cent of the fines were realized against 52 per cent in Belaspore. The large percentage (24) of imprisonments for terms between six months and two years in Belaspore points to a like

II

DISTRICT.	Total number of persons imprisoned.	Proportions per cent imprisoned for terms of— 15 days and under	2 months and under	6 months and under	2 years and under	7 years and under
Nagpore	791	34	31	24	10	1
Chanda	948	27	45	23	5	
Bhundara	442	35	36	23	5	1
Wurda	144	30	35	31	3	1
Balaghat	391	13	60	26	1	
Jubbulpore	1,436	15	35	40	9	1
Saugor	705	27	39	25	8	1
Seonee	383	14	31	46	8	·5
Dumoh	611	25	41	29	4	2
Mundlah	238	5	35	50	9	1
Hoshungabad	411	9	30	40	20	2
Baitool	292	15	36	38	10	1
Nursingpore	460	21	38	26	13	2
Nimar	303	18	48	21	11	2
Chindwara	206	23	36	31	10	
Raepore	697	22	45	28	5	
Sumbulpore	361	15	58	19	7	3
Belaspore	515	8	31	36	24	6
Upper Godavery	54	11	48	39	2	
Total .. 1869..	9,298	19	39	31	10	1
Total .. 1868	5,599	17	70 (66)		15	2

III

DISTRICT.	Total number of persons fined.	Proportions per cent fined in sums— Not exceeding Rs. 5	Exceeding Rs. 5 and not exceed ing Rs. 50	Exceeding Rs. 50	Average amount of fine.	Percentage realized.
Nagpore	2,055	80	19	1	8	80
Chanda ..	718	84	16	..	4	107
Bhundara	871	74	25	1	7	97
Wurdah	641	69	30	4	7	92
Balaghat	305	73	25	2	11	91
Jubbulpore .. .	1 646	71	27	2	11	64
Saugor	2,197	73	26	1	7	62
Dumoh	219	45	54	5	8	95
Seonee	845	74	25	1	7	84
Mundla	293	77	22	5	6	97
Hoshungabad	1,510	77	22	1	6	84
Baitool	904	76	23	1	7	77
Nursingpore	1 401	73	26	1	6	95
Nimar	979	70	2	1	7	82
Chindwara	90	78	21	1	5	97
Raepore	1 193	80	19	2	5	96
Sumbulpore	508	67	32	1	9	81
Belaspore	594	66	33	1	9	52
Upper Godavery	241	73	26	1	8	88
Total .. 1869..	17,325	75	24	1	7	79
Total .. 1868	19,623	74	25	1	9	76

conclusion. In any event greater equality in such similar circumstances might be expected. The same may be said in reference to Bhundara and Balaghat, which districts, while showing by general equality in other sentences that equality might obtain, nevertheless differ so widely as 35 differs from 13 in their percentages of imprisonments for 15 days and under. Other comparisons bring out the same kind of results and show comparative severity in Jubbulpore, Seonee, Mundla, Hoshungabad and other districts, and comparative lenity in Chanda, Bhundara, and other districts. As remarked in last year's Report, individual opinions will differ as to the proper punishment in similar cases, and no precise rules can be laid down. But the differences shown in these Tables arise in a measure out of a *want* of individual opinion; and a study of the Tables by the Magistracy (to whom they have been circulated) may help towards sentences being well considered, and less frequently fixed on chance-found standards. Unless such standards were too greatly relied upon, some of the prevailing inequalities in sentences would hardly occur.

E.—Detention of Witnesses.

Detention.

33. *Statement* IV.—This Statement for 1868 was not deemed reliable. Special attention was given to the subject during the year under report, and it is believed that the Registers of attendance of witnesses on which this Statement is based are now in most Courts kept up correctly. 82,028 witnesses are shown as having attended the the Magistrates' Courts in 28,758 cases affecting 53,062 accused persons. Out of every 100 witnesses attending 84·5 were detained only one day, and 10·5 for two and 3 for three days; that is to say the detention of 98 out of every 100 witnesses did not exceed three days The Officiating Judicial Commissioner believes that in respect of the undelayed discharge of witnesses there has been some real improvement during the year. But it has to be also admitted that cases of avoidable delay do still occur. During the year some bad cases of the kind occurred, especially at Saugor, and too many witnesses also appear as having been detained for excessive periods in the Chanda, Wurdah, Bhundara, Balaghat, Seonee, Mundla, Nimar, Chindwara, Raepore and Belaspore districts. The reports however show that Deputy Commissioners are in most instances alive to the importance of the matter, and there is reason to believe that cases of undue detention of witnesses, which are much rarer now than they used to be, will be still fewer in future.

Expenses of Witnesses.

34. At the commencement of the year diet money was paid to witnesses in Police cases only. But Section 438, Act VIII. of 1869, empowered the Criminal Courts to order payment of the reasonable expenses of *any* complainant or witness attending for the purpose of any trial before such Court under the Criminal Procedure Code, subject to any rules that might be passed by the Local Government with the sanction of the Governor General of India in Council. A set of Rules setting forth the classes* of complainants and witnesses to whom no such payment should be ordered, and prescribing the rates† of payment were passed and promulgated,‡ and the Courts now exercise the extended powers of ordering such payments to any complainant or witness not being of the excepted classes. In the districts of Saugor and

* *a.*—Recusant prosecutors and witnesses referred to in Sections 159 and 232, Criminal Procedure Code.
b.—Complainants whose expenses are covered by the amount ordered by the Court to be paid as compensation from fines under Section 44, Criminal Procedure Code.
c.—Witnesses already in attendance at the Court of their own motion or produced by parties, as referred to in Sections 204, 236, 337 and 3304, of the Criminal Procedure Code, unless the Courts shall see good reason for ordering payment.
d.—Complainants appearing (as such) of their own choice and not under order of the Court.

† The old rates, being the rates according to which witnesses in the Civil Courts also receive payment of their expenses.

‡ *Central Provinces' Gazette*, 4th September 1868. Judicial Commissioner's Book Circular XXI. of 1868.

Hoshungabad, however, the Magistrates were not fully provided with the necessary funds, owing to Budget provision existing at the time falling short.

F.—Appeals, References and Revisions.

Extent of appeals.

35. *Statement* V.—In all the appellate Courts there were 10 cases pending on 1st January 1869, and 1,280 were instituted in the course of the year. In 1868, when the convictions were one-fifth fewer than in 1869, the appeals were only one-twentieth fewer. In other words the appeal rate has not kept pace with the rate of convictions on trial. The character of crime and the corresponding character of punishments, of themselves suffice to account for this.

Appeals to the Sudder Court.

Appeals in the Sudder Court are now more numerous by reason of Section 446 C, Act VIII. of 1869, which provides that appeals from Officers invested with the enhanced powers of Section 445A shall lie to the Sudder Court. In 1868, 26 appeals fell to be heard in the Sudder Court. In 1869 the number was 126.

Appeals to Commissioners.

Appeals in Commissioners' Courts have been fewer than they would have been but for the change of law abovementioned. In one —the Nerbudda Division—appeals have nevertheless increased from 218 to 256.

Appeals to Deputy Commissioners.

The noticeable point in that part of the Statement which shows appeals to Deputy Commissioners is the almost entire absence of appeals in some districts.* On this head the Commissioner of the Nagpore Division writes:— "The number of Criminal appeals varies strangely in the different districts. The appeals are fewest where most sentences have been passed. I think that special circumstances occasionally contribute to multiply Criminal appeals. For instance there was last year in the Wurdah Jail an educated prisoner who was good at drawing up appeals; and he wrote a good many appeals for his fellow prisoners. The Deputy Commissioners appear to consider that convicts fully know the facilities which they have for appealing. But I am not sure that the poorer prisoners are able to find a man in prison to draw up their appeals. I am not quite sure how this can be remedied. The Jail establishment can hardly be required to draw up petitions of appeal for all comers."

*Districts.	Persons convicted by Sub-Magistrates.	Number of appeals filed.
Chanda	1,165	6
Bhundara	1,135	5
Balaghat	1,023	2
Dumoh	1,142	11
Mundla	316	3
Chindwara	667	19
Raipore	1,342	13
Sumbulpore	848	4
Belaspore	970	15

Perhaps it may be possible to engraft an enabling provision on this head in the projected Prisoners' Act, 1870. The Officiating Judicial Commissioner has made a suggestion to this effect in his remarks on the Bill.

Result of appeals.

Out of the 1,130 admissible appeals heard and disposed of 40 per cent were modified or reversed. The inference as regards the judgment of the lower Courts must be tempered by consideration of the different tendencies of Appellate Courts. For example, the judgments of the lower Courts can hardly differ in the degree indicated by the interference of the Jubbulpore Commissioner's Court in only 3 appeals out of 61., of the Jubbulpore District Court in only 14 out of 58, or of the Baitool District Court in only 17 out of 78; while in the Nerbudda Commissioner's Court the number interfered with was 67 out of 176, in the Saugor District Court 51 out 70, and in the Nursingpore District Court 87 out of 122. After making all

allowances it may be concluded that under more equal treatment, appellants would have been even more successful than they were. In the Jubbulpore Divisional Court only three Appellants were successful In the same Court the duration was very long, and the pending cases, one of which appears as 11 months old, are too numerous. Some special causes contributed to delay in this Court. The Officiating Judicial Commissioner took steps with a view to terminate it, and it is hoped that the files will now be cleared.

Reference.

36. In the cases of 47 persons, sentences of death (including one pending from last year) were referred to the Judicial Commissioner's Court for confirmation. 38 were confirmed, 1 was altered to transportation for life, and the remaining 8 were annulled.

Revision.

37. Statement B 5. shows that the Judicial Commissioner, as a Court of revision, modified sentences passed on 20 persons and cancelled sentences or orders in respect of 81 other persons. The Court further inspected a large number of cases in which no special orders were found necessary.

Tour.

38. During his tour of season 1869-70 the Officiating Judicial Commissioner inspected the principal Courts in nine districts.

G.—Duration of Cases.

Duration of Police Cases.

39. *Statement* 7A.—The duration of Police cases before Magistrates is calculated from the date on which the Magistrate receives the Police report made under Section 155 of the Procedure Code *on completion* of the Police enquiry. A case thus reported is then brought in the Magistrate's Court Register, and as ordinarily the accused and the witnesses in the case appear simultaneously, the final order in the case discharging, acquitting, committing, or convicting the accused, ought ordinarily to be delayed only by reason of the length and difficulty of the evidence and proceedings to be taken in the case, or from the necessity of adjourning the case in order to obtain evidence not adduced with the Police report. Obviously then, the mass of the Police cases ought ordinarily to be disposed of on the day they are received, or the day following. Statement 7A shows that of 16,493 Police cases 13,606 or 82 per cent were thus disposed of, being 6,006 cases more, and 8 per cent better, than last year. So far this is highly satisfactory. The remaining cases whose duration exceeded two days may be thus reviewed :—

Total number of cases	2,887
Deduct number in which further evidence was called for ...	1,031
Balance....	1,856

from which after making all allowances it may be said that there was some undue delay in the disposal of one out of every 10 or 12 cases, instead of one out of every 5 cases as was reckoned for the previous year. This also is favourable so far as it goes. It has also to be remembered that the year was a year of uncommonly hard work : prompt disposals were not always possible. There is however admittedly room for still further improvement. There were some very bad cases of prolonged duration in the Saugor Courts, and Commissioners of Division write unfavourably in respect of Hoshungabad and Belaspore. But most of the District officers in their reports show that they may be relied upon to prevent any of the Subordinate Magistrates' Courts from drifting again into anything like a careless system of deferring cases and disposing of them in arrears. The Deputy Commissioner of Raepore, whose Courts show particularly good durations, writes as follows :—

"At head-quarters the system was adopted of relieving the Criminal Station-Court Magistrate of cases on all days when the Police Chalans were specially numerous, for it is on such occasions that delays usually occur, and witnesses are liable to be too hastily examined. It does so happen that 8 or 10 Police Chalans come in on one day,—a number greater than one Magistrate can possibly dispose of. The extra cases being at once made over to another Magistrate, the chances of delay are reduced to a minimum."

This course was enjoined by a Circular in March last. The subject has again been brought before the Magistracy.

The average duration of Police cases for the whole Provinces was 2·4 as against 3·4 in the previous year, and this again attests the degree of improvement which is claimed for the year just past.

Duration of cases on complaint.

40. *Statement* 7B.—The duration before the Magistrates of cases other than Police cases, that is to say cases on complaints, has been on the average much the same for the whole Provinces as in the two previous years, *viz.* 9 days. The greater variations from the provincial average are mostly due to special circumstances beyond the Magistrates' control, such as distance, the prevalence of Customs cases which often come before the Courts complete, Zemindaree agency, and the like. Perhaps the period generally elapsing between the complaint and the final disposal of the case may not be capable of material reduction. But it is of course impossible to pass without remark cases like those in the Saugor district, which pended for exceptionally long periods without any good cause.

Duration of Sessions trials in Commissioners' Courts.

41. *Statement* VIII.—The duration of trials in the Sessions Courts of Commissioners, that is, the period elapsing between committal and final disposal, averaged 48 days. The opening of the Railway will now enable a great improvement in the Nerbudda Division, where the average duration was 66 days.

Duration of appeals.

42. *Statement* V.—The duration of appeals was short, except in the Jubbulpore Court of Session, where the appeal business unfortunately fell into arrears, now being brought up.

Conclusion.

43. The detailed report on the Criminal administration for the year, as exhibited by the figured Statements, is now, the Officiating Judicial Commissioner believes, as complete as it is necessary to make it. The salient points may perhaps be conveniently summarised here. The year has been one of unusually hard work, owing to a great increase of crime arising from the special circumstances of the year. The extra labour was unaccompanied by any increase in the number of the tribunals, and in the interior of districts additional Magistrates' Courts are still much needed. The furniture and fittings of the Court-rooms have undergone special improvement. The record-rooms have been cleared. Court libraries have to a certain and much needed extent been formed. Procedure has been improved by Act VIII. of 1869. The Bench system has been introduced at Nagpore. No marked change has occurred in respect of the distribution of the work between the several classes of Courts. Criminal trials terminated in conviction in an unusually large proportion of the Cognizable cases, and in an ordinary proportion of Non-Cognizable cases. The ordinary proportion of persons punished with fine only, gave way to some extent in favour of imprisonments and whippings. Fines are still too often excessive. Other punishments are awarded in a degree which appears on the whole moderate. But some avoidable inequality in the incidence of punishments in the several districts still prevails. In only a few instances were witnesses unduly detained. It may be desirable to secure further facility of appeal to prisoners in Jail. In most of the Magistrates' Courts there was marked improvement in the duration of Police cases. In other cases the general average duration was not excessive. Except in one Divisional Court, appeals were promptly disposed of.

The Officiating Judicial Commissioner submits that the results of the year are on the whole favourable. Externals have been made to assume an improved appearance, and a larger amount of work has been done in a fashion still better in some respects than before. Although drawbacks even now exist, yet a study of the figures for the year should, it is believed, induce a favourable verdict. The Officiating Judicial Commissioner claims that the proceedings, as a whole, of the Criminal Courts of these Provinces are of an order which is already decidedly good and at the same time of a progressive tendency. For the names of those officers whose work deserves special notice the Officiating Judicial Commissioner would refer to the local reports, commending them here to the Chief Commissioner's favourable consideration.

The Divisional and District reports were received very punctually. This office is slightly behindhand. But the labour of compilation is very great. Fortunately Messrs. Keenan, D'Silva, and Springer of this office are all most industrious Clerks and good at figures. The services in Judicial business of the Deputy Registrar, Baboo Bunmully Choudry, are also of a meritorious character.

I have the honor to be,
Sir,
Your most obedient Servant,

T. DRYSDALE,
Officiating Registrar,
Judicial Commissioner's Court,
Central Provinces,

JUDICIAL COMMISSIONER'S COURT, C. P.
NAGPORE,
The 26th March 1870.

JUDICIAL STATEMENT B1.

Showing the various Judicial Tribunals, Original, and Appellate, existing in the Central Provinces, on the last day of the year 1869.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original and Appellate.	Prescribed qualification of Judges previous to appointment.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Average annual cost of establishment of each Tribunal.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
Local and Sub-Magistrates (a). Exercising Criminal powers (b)	Paid ..	9	...	..	9	A single Judge presides over each tribunal. One of the unpaid Magistrates sat during a portion of the year on the Nagpore City bench of Honorary Magistrates Jury or Assessors not employed.	Each Judge has, in the Criminal Department, the powers of a Sub-Magistrate either of the 1st or 2nd Class, as defined in Section 22 of the Criminal Procedure Code, and can dispose of all cases which a Sub-Magistrate is competent to try. The Forest Officers, (included in column 5) are restricted in the use of their powers to cases of Breaches of Forest Act, or cases in which their subordinates are concerned.	..	..	*6	*3	..	..	...	...	* Five of these Officers are Superintendents of Jails, three are in the Forest Department, and one in the Customs Department	each of these days.	..	264	..	..	..
	Unpaid	46	502	6,500	63			..	...	..	2	61	..	...	..			..	4,848	..	..	..
Do. do. exercising Criminal, Civil, and Revenue powers (c) ..	Paid ...	61	1,221	123,813	67	A single Judge presides over each tribunal. Jury or Assessors not employed.	Do. and in the Civil Department, can hear Civil suits up to Rs. 100 300, 500, or 1,000 in value, according to his powers under Act XIV. of 1865 (Central Provinces' Courts' Act), and has the powers in the Revenue Department of a Deputy Collector under the Rent Law (Act X. of 1859, and Act XIV. of 1863.)	..	1	3	6	57	5,520	3,000	..	These Officers are Tehseeldars (Sub-Collectors) and Extra-Assistant and Assistant Commissioners. They are employed generally in administrative work of the districts to which they are attached.		..	12,471	29,672	..	..
	Unpaid	...	...	..	..			..	..	..	..	..	..	...	..			..	..	..	..	..

Judges exercising Civil powers only *(d)*—paid	9	..	...	9	Ditto.	Each Judge can hear suits up to Rs. 5) in value under Section 6 of Act XIV. of 1865, (Central Provinces' Courts' Act).	..	..	..	..	9	..	600	..	These Officers are Naib-Tehseeldars.	was held on	tral Provinces	..	5,074	..	..
Small Cause Courts *(e)*	6	430	78,643	6	A single Judge presides over each tribunal without Jury or Assessor, and there are two Registrars empowered to hear suits up to Rs. 20 attached to two Courts.	Two Judges have power, under Act XI. of 1865, to hear suits up to Rs. 1,000 in value. Three Judges under Act XI. of 1865 and XXI. of 1864 have power to hear suits up to Rs. 500 in value, one Judge under Act XI. of 1865 and XXII. of 1864 has power to hear suits up to Rs. 50 in value.	..	..	6	..	..	8,800	..	..	Have executive functions, as in the case of three Cantonment and one Assistant Cantonment Magistrate, and of Judge of Nagpore Small Cause Court, who is also Registrar General.			1,470	11,442	..	..
Magistrates of full powers exercising only Criminal powers *(f)* —	21	7	6,000	15	A single Judge presides over each Court. Three of the Magistrates sat during a portion of the year on the Nagpore City Bench of Honorary Magistrates Neither Jury or Assessors employed.	Each Judge has in the Criminal Department the powers of a Magistrate as defined in Section 22 of the Criminal Procedure Code	..	..	*3	*2	10	..	..	..	*These five Officers are in administrative charge of Jails.			951	..	..	..
Do. Criminal, Civil, and Revenue powers *(g)*	24	3,347	33,153	45	A single Judge presides over each Court. Neither Jury or Assessors employed.	Do. and 19 Magistrates of the 45 entered in Column 5, being Magistrates of districts, have power to hear appeals from the orders of all Sub-Magistrates in their districts. In the Civil Department the Magistrates of districts have power to hear, under Act XIV. of 1865, suits of unlimited value, and in the Revenue Department they have the powers of Collectors under the Rent Laws; all other Magistrates can hear suits (Civil) up to Rs. 5,000 in value, and have powers of Deputy Collectors under the Rent Law.	..	5	19	10	11	5,600	3,300	..	These Officers are Extra-Assistant, Assistant and Deputy Commissioners and the whole administrative charge of the districts to which they are attached rests with the Deputy Commissioner, who is aided by his Assistants and Extra-Assistant Commissioners.	20 days, excluding Sundays and Gazetted holidays. Court	55 passed Pleaders in Cen-	8,755	16,962	..	1,512
Do. Exercising powers described by Act XV of 1862 *(h)*	..	19	4,748	463,011	17	A single Judge presides over each tribunal, and may be assisted by Assessors.	Under Act VIII. of 1869, these Courts ceased to exist on 1st June 1869. These Judges had power to try all Criminal cases triable by a Court of Sessions, except such as for offences punishable with death, and to punish with imprisonment not exceeding seven years.	..	1	17	3	..	12,000	..	..	These Officers are Deputy Commissioners.			103	..	..	

JUDICIAL STATEMENT B 1.—*(Continued.)*

Classes of Tribunals distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original and Appellate.	Prescribed qualification of Judges previous to appointment	Total number of Judges. European. Covenanted.	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Average annual cost of establishment of each Tribunal.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appeal
Sessions Courts ..	22	20,749	2,002,717	22	A single Judge presides over each Court and is aided by assessors.	These include (1) four Courts of Sessions proper, presided over by Commissioners of Division, and (2) the Courts of 18 Deputy Commissioners invested with the powers of Section 445A., Act VIII. of 1869. The former can try cases of any nature committed to them by a Magistrate, and can award any punishment allowed by Law. They are likewise empowered to hear all appeals from the orders of Magistrates with full powers in all cases in which an appeal is allowed by Law. The latter try, as a Court of Sessions, those offences not punishable with death, which, under the Schedule to Act VIII. of 1869, are triable by a Court of Session only, and are empowered to pass sentences of imprisonment up to seven years.	..	3	16	3	..	15,700	..	..	Four of these Officers are Commissioners of Division, and the administrative business of Divisions rests with them. The remaining 18 are Deputy Commissioners.	..	..	276	..	..	506
Commissioner's Court, Civil and Revenue ..	4	20,749	2,002,717	4	A single Judge presides over each tribunal unassisted by either Jury or assessor.	These Judges have no original jurisdiction, but on the Civil side of their Court hear, under Act XV. of 1865, appeals in all suits in which the value is Rs. 5,000 or more, and they also hear appeals from the decision of Collectors and Deputy Collectors under Act X of 1863 (Rent Act) In the Revenue Department they are Commissioners of Division, and hear appeals from orders of Collectors under Rent Law.	..	2	2	..	..	32,500	..	..	These Officers are also the Commissioners of Division.	..	..	..	..	..	589

Court was held on days and Gazetted holidays, those days.

Chief Court of Province	1	..	..	1	Ditto	Is the Judge of the Chief Appellate Court in Criminal and Civil cases, hearing, on the Criminal side, appeals from the orders of Sessions Courts and, on the Civil side, special appeals from orders passed on appeal by Deputy Commissioners or Commissioners In Criminal cases it has also the power of revision	..	1	..	..	..	37,990	..	..	No executive functions.	390 days, excluding Sundays	..	..	.	..	241
Justices of the Peace ..	19	3,601	364,924.43	Ditto.	Ditto		..	..	4.26	13	..	..	..	These Officers are nearly all included in the foregoing entries			..	43	..	..	..	

(a) The entry in Column 1 shows Honorary Magistrates and Officers in the Forest and Customs Department having Criminal powers of Sub Magistrates.

The entry in Column 2 shows the number of Judicial Divisions. With regard to Honorary Magistrates, &c, each town or estate in which there are one or more Honorary Magistrates, being considered as one Division, and the Forest Division of each Forest Officer being considered as one Division and added to the number of of Divisions for Honorary Magistrates Thus it cannot be said that the Central Provinces contains so many Divisions in which there are so many Local and Sub-Magistrates, and each place where there are one or more Local and Sub Magistrates is considered as a Division

(b) The average area entered in Column 3 has been roughly calculated on the area of the Towns, Estates, Forest Division, &c. of the Officers who hold Local and Sub-Magisterial Criminal powers.

The average population entered in Column 4 has been similarly calculated. The Census Report of the Central Provinces gave the figures on which the calculation was based

The number of Tribunals entered in Column 5 corresponds with the number of Magistrates or Officers, and this remark applies to the entries in this Column, as each Magistrate or Judge is held to have a separate tribunal.

(c) The entry in Column 1 is applied to Tehseeldars, Extra-Assistant and Assistant Commissioners who exercise in Criminal Department powers less than those of a Magistrate

The entry in Column 2 corresponds with the number of Tehseels into which the Central Provinces are divided.

The entries in Columns 3 and 4 require no explanation

Column 5 shows the number of tribunals—each Officer being considered to preside over a separate tribunal, but, although each Officer presides over a Court having a Criminal side, a Civil side, and a Revenue side, the Court is considered as one, not as three.

(d) These Officers are merely Naib-Tehseeldars, exercising Civil powers only.

(e) The returns under this heading have reference to the Small Cause Courts at Nagpore and Jubbulpore, and the Cantonment Small Cause Courts at Kamptee Jubbulpore, Saugor, and Aseergurh At Saugor, Jubbulpore, Kamptee and Aseergurh, therefore the Judges also exercise Magisterial powers, but it was considered advisable to show them under Small Cause Courts, and not under Magistrates exercising also Criminal powers

(f) The entries in these Columns refer to 10 Honorary Magistrates who have full powers, and 5 Jail Magistrates who exercise the full powers of a Magistrate within the limits of their Jails.

(g) The entries in these Columns refer to the Deputy Commissioners of Districts and to Extra Assistants and Assistants having the full powers of a Magistrate. See remark regarding entry in Column 5 with reference to Tehseeldars, &c, above.

(h) These entries refer to Deputy Commissioners as Officers having the chief executive control over their districts.

JUDICIAL STATEMENT B2.

STATEMENT of offences reported and of Persons tried, convicted and acquitted for each offence in the Central Provinces in the year 1869.

Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks
CLASS I.							
OFFENCES AGAINST THE STATE, THE PUBLIC, AND JUSTICE.							
Against the State.							
1. Waging war against the Queen	121	..	..	..	..	...	
2. Collecting arms or concealing attempt to wage war ...	122, 123	..	..	..	..	...	
3. War or depredations on allied powers	125 to 127	..	..	..	..	..	
4. Abetment of mutiny	131, 132	..	..	..	..	..	
Relating to Coin, Stamps, Weights and Measures.							
5. Counterfeiting coin	231 to 238	2	19	5	14	..	
6. Diminishing or altering coin	246 to 249	11	14	7	7	...	
7. Passing or possessing bad or altered coin	239 to 243 and 250 to 254	77	77	24	51	...	1 died, 1 escaped.
8. Counterfeiting stamps or selling same	255 to 259	2	1	..	1	...	
9. Using as genuine counterfeit stamps, or effacing or altering same.	260 to 263	..	..	..	..	.	
10. Making, using or possessing false weights or measures ..	264 to 267	123	146	26	120	..	
11. Personating Public Servant or Soldier	140, 170, 171	46	54	8	46	..	

	Against Public Justice.							
12.	Concealing design to commit offence	118 to 120	..	..	..	..	..	
13	Omitting to give information of offence, or giving false information.	176, 177 181, 182, 202, 203	129	159	37	121	1	
14.	Causing disappearance of evidence	201 to 204	11	15	5	19	..	
15	Resisting, obstructing or omitting to assist Public Servant ..	183 to 187 189, 190	93	137	55	81	1	
16	Disobedience of lawful order causing injury	188	108	14	57	83	..	1 escaped
17	Intentional insult or interruption in judicial proceeding ..	228	35	39	2	37	..	
18.	Harbouring an offender	212, 216	10	8	2	5		
19	Taking gift to screen offender	213 to 215	46	75	17	58	..	
20.	Resistance to lawful apprehension and rescue	224, 225	55	83	9	74		
21	Escape from lawful custody or transportation	224, 2.6	121	112	9	99	..	2 died, 2 transferred.
22	Absconding from, avoiding, or disobeying summons or notace, or order to attend or produce, or refusing to answer or sign ..	172 to 175, and 178 to 280	146	246	51	19	..	
23.	Failure to attend as juror or assessor	C P Code 354		..	..			
	[illegible] Public Servants							
24.	Taking valuable thing by, or to influence Public Servant ..	161, 165	49	63	28	34	1	
25	Public Servant acting illegally to injure any person ..	166, 167	13	19	3	13	3	
26	Do unlawfully trading ..	168, 169	3	3	2	1	..	
27	Do fraudulently defeating punishment or forfeiture ..	217, 218	5	6	2	4		
28.	Do wilfully making order or decision contrary to law	219, 220	3	4	4			
29.	Do. intentionally omitting to apprehend or permitting to escape	221 222	1	3	1	2	..	
30	Do negligently suffering escape	2[illegible]9, 223	27	36	5	30	1	
31	Breach of Police Act by Police Officers	Act V of 1861	45	48	3	45	..	
31A	Taking gratification for the exercise of personal influence with a Public Servant	162 and 163		..		..	..	
	False Evidence, False Complaints or Claims and Forgery							
32	Giving false evidence	193 to 196	44	75	51	23	1	
33	Fabricating false evidence	193 to 196	7	8	3	5	..	
34	Making, issuing, or using false statement or certificate ..	197 to 200	1	3	3		..	
35.	False personation in judicial proceeding	205 to 229	5	7	4	3	..	
36	Fraudulent claim to, or concealment of property, or suffering of decree	206 to 208, 421 to 424, and 165	17	26	8	18	..	
37	False claim in Court of Justice	209 210	13	14	11	3	..	
38	False charge of offence	211	33	39	16	23	..	
39	Frivolous or vexatious complaint	C. P Code 270	284	309	..	309		

STATEMENT B2. (*Continued.*)

Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
40. Forgery or fraudulently using or possessing forged document ..	465, 466, 467, 468, 469, 471, 473 to 477	31	45	19	22	2	2 transferred.
41. Making or using false trade marks ..	482 to 489	2	2	1	1	..	
Public Nuisances.							
42. Public Nuisances under Penal Code ..	269 to 294	326	724	162	561	1	
43. Nuisances under Police or Municipal and Local Acts ..	Act V. of 1861	804	1,308	113	1,192	..	1 died and 1 escaped.
Relating to the Public Peace.							
44. Rioting or unlawful assembly	143 to 153, 157, 158	35	316	101	215	...	
45. Omitting to inform of or prevent, riot	154 to 156	..	..	..	...	..	
46. Affray	160	162	733	100	633	..	
47. Offences relating to religion	295, 296, and 297	5	5	1	4	..	
47A. Anticipated breach of the peace	C. P. C. 282 to 289	6	10	1	9	..	
Total Offences under Class I. ..		2,958	5,132	959	4,152	11	
CLASS II.							
OFFENCES AGAINST THE PERSON.							
48. Murder by thugs	302 and 303	..	..	..	..	..	
49. Do. dacoits		4	8	1	7	..	
50. Do. robbers		15	18	6	12	...	
51. Do. poison for sake of robbery		8	11	5	4	1	1 accepted tender of pardon.
52. Do. ,, from other motives		7	13	5	7	1	
53. Do. other murders from motives connected with women ..		8	6	3	3	..	
54. Do. ,, ,, from other motives		52	92	29	53	6	2 died, 1 transferred, 1 escaped.

55.	Attempt to murder	307	25	83	11	20	2	
56.	Culpable homicide	304, 308	30	53	19	30	3	1 died.
57.	Abetment of suicide	305, 306	2	3	1	2	..	
58.	Attempt to commit suicide	309	129	126	31	90	..	5 died.
59.	Causing miscarriage and cognate offences	313, 316	4	5	4	1	..	
60.	Exposure of infant or concealment of birth	317, 318	2	17	6	17	1	
61.	Grievous hurt	3 5, 333	78	125	32	93	..	
62.	" " on grave and sudden provocation	335	11	14	3	10	1	
63.	Hurt	323, 334	621	1,366	719	646	..	1 escaped.
64.	" by dangerous weapons	324	60	69	3	65	..	1 died.
65.	Administering stupifying drugs	328	8	5	2	2	1	
66.	Causing hurt to extort property or confession	327, 3 9 to 333	16	32	10	19	3	
67.	Act dangerous to life or safety	336, 337	9	15	5	10	..	
68.	Wrongful restraint	341	207	435	144	290	...	1 died.
69.	" confinement	342 to 346	77	116	42	73	..	1 escaped.
70.	" " to extort property or confession ..	347, 348	19	38	26	12	..	
71.	Assault or use of Criminal force	353, 354, and 357	5,417	10,712	6,986	4,439	23	1 died, 6 escaped.
72.	Criminal intimidation or insult	504 to 509	821	1,452	808	640	4	
73.	Causing annoyance in state of intoxication	510	4	4	..	4	...	
74.	Unlawful compulsory labour	374	13	27	16	11	..	
75.	Buying or disposing of any person as a slave	370, 371	7	10	4	5	1	
76.	Kidnapping or abduction	363 to 365, 367 to 369	11	26	9	9	..	2 transferred.
77.	Kidnapping or abducting a woman to compel marriage or for defilement	366	4	22	18	1	3	
78.	Selling, letting, or unlawfully obtaining a woman for purposes of prostitution	372, 373	2	8	7	1	..	
79.	Enticing a married woman with Criminal intent.. ..	4 8	139	148	102	46	..	
80.	Fraudulent and unlawful marriages	493 to 495	6	9	4	5	..	
81.	Adultery	497	139	132	98	32	1	1 died.
82.	Rape	376	27	32	12	18	1	1 accepted tender of pardon.
83.	Unnatural offences	377	10	12	5	7	..	
84.	Defamation	500 to 502	253	409	282	127	..	
	TOTAL OFFENCES UNDER CLASS II. ..		8,318	15,597	8,758	6,805	52	

CLASS III.

OFFENCES AGAINST PROPERTY.

With Violence.

85.	Dacoity	395, 397, 398	13	180	52	78	..	46 transferred, 4 died.
86.	Preparation or assembly for dacoity	399, 402	..	..	...	..	..	

STATEMENT B2.—*(Continued.)*

	Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
87.	Robbery with hurt or deadly weapons by poison or stupifying drugs	394, 397	3	8	4	3	..	1 escaped.
88.	" " " " by other means ..	398	6	8	3	5	..	
89.	Robbery in a dwelling house	392, 393	4	6	6	..	..	
90.	" on the highway		17	29	13	16	..	
91.	" elsewhere		17	32	10	22	..	
92.	Extortion	384 to 389	89	131	75	55	1	
93.	House-breaking or house-trespass in order to commit theft ..	451, 454, 457	11,982	7,075	678	6,343	19	1 accepted tender of pardon, 4 died, 7 escaped, 23 transferred.
94.	" " in order to commit an offence other than theft	449, 450, 451, 453, 454, 456, and 457	158	177	30	147	..	
95.	" " with preparation for, or attempt at hurt	452, 455, 458, 460	10	10	2	8	..	
96.	" or lurking house-trespass	452, 455, 458	76	61	14	47	..	
	Without Violence.							
97.	Theft of cattle	356, 379, 380, 381, and 382	1,663	2,051	22[illegible]	1,775	4	1 died, 4 escaped, 65 transferred.
98.	" ordinary	379, 380, 381	15,123	10,813	1,290	9,455	23	7 died, 8 escaped, 30 transferred.
99.	Dishonestly receiving stolen property	411 to 414	505	913	237	672	..	4 transferred.
100.	Dishonest misappropriation of property	403 and 404	273	444	141	297	4	2 died.
101.	Criminal breach of trust	406 to 409	294	319	139	173	5	1 escaped and 2 transferred.
102.	Cheating	417 to 420	250	350	192	157	1	
	Malicious Offences.							
103.	Mischief ordinary	426, 427, 430 to 433	302	520	502	219	...	

104.	" by poisoning or killing cattle	429, 429	32	60	26	36	..		
105.	" by destroying land-marks	434	26	53	37	14	..	2 escaped.	
106.	Serious mischief by fire	435, 436, 438	66	61	34	25	1	1 died.	
107.	Criminal trespass or house-trespass	447	729	1,133	532	599	..	2 died.	
108.	Breaking closed receptacle	461, 462	12	10	4	6	..		
	TOTAL OFFENCES UNDER CLASS III. ..		31,650	24,444	4,041	20,130	53	215.	
	CLASS IV.								
	OFFENCES NOT INCLUDED IN THE ABOVE CLASSES.								
109.	Belonging to a gang of thugs	311	..	...	..	..	..		
110.	" " " of dacoits	400	..	...	..	..	..		
111.	" " " of thieves	401	15	29	12	17	..		
112.	Vagrancy without ostensible means of livelihood.. ..	C. P. C. 295	9	90	64	34	1		
113.	Bad habit and repute	C. P. C. 296, 297	66	68	32	36	..		
114.	Criminal breaches of contracts of service	490, 491, and 492	41	97	46	37	11	3 escaped.	
114A.	Neglect to maintain wives or children	C. P. C. 316	270	277	158	119	..		
	TOTAL OFFENCES UNDER CLASS IV. ..		484	570	312	243	12		
	BREACHES OF SPECIAL LAWS FOR THE PROTECTION OF THE REVENUE OR ON OTHER SUBJECTS.								
	Breaches of Laws relating								
115.	To Excise on Spirits and Drugs	Act XXI. of 1856	533	748	152	591	5		
116.	Opium	Ditto	90	151	29	124	..		
117.	Salt and Salt-petre	Acts XIV. of 1843, XXVII. of 1855, XXXI. of 1861, XIX. of 1862.	384	802	17	783	2		
118.	Stamps	Acts X. of 1862, XXVI. of 1867	181	351	63	280	1	7 died.	
119.	Paper Currency	Act XIX. of 1861	...	..	..	..	..		
120.	Post Office	Act XIV. of 1866	18	21	6	15	..		
121.	Electric Telegraph	Act VIII of 1860	..	..	..	..	..		
122.	Registration	Act XX of 1866	1	5	..	5	..		
123.	Municipalities	Act XVIII. of 1864, XV. of 1867	404	719	81	635	1	1 accepted tender of pardon, 1 escaped.	

STATEMENT B2.—*(Concluded).*

	Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
124.	Jails	Regulation XIV. of 1816	222	250	2	248	..	
125.	Forests	Act VII. of 1865	222	577	107	469	..	1 escaped.
126.	Ferries	....	..	..	..	...	..	
127.	Railways	Act XXVIII. of 1854	54	80	25	54	1	
128.	Stage coaches	Act XVI. of 1861	..	..	..	..	..	
129.	Income tax	Act IX. of 1869	297	302	78	223	..	1 died.
130.	The Press	Act XXV. of 1867	..	..	..	..	..	
131.	Gaming and lotteries	Act III. of 1867	69	479	85	391	3	
132.	Wandering and dangerous lunatics	....	..	..	..	...	..	
133.	Illegal seizure of cattle	Act III. of 1857	7	13	5	8	..	
134.	Arms and ammunition	Act XXXI of 1860	11	21	7	14	..	
135.	Foreigners	Act III of 1866	..	..	..	...	..	
136.	Emigration	Acts XIII. of 1864 and VI. of 1869	..	..	...	..	..	
137.	Pandhari tax	Act XIV. of 1867	..	..	...	..	..	
138.	Offences against the Mutiny Act	Act VII. of 1867	1	3	..	3	..	
	Total Offences under Special Laws ..		2,494	4,522	657	3,841	13	11.
	Total offences under— ..	Class I.	2,958	5,132	957	4,152	11	11.
		" II.	8,318	15,597	8,758	6,805	52	26.
		" III.	31,650	24,444	4,041	20,130	58	215.
		" IV.	484	570	312	243	12	3.
		Breaches of Special Laws	2,494	4,522	657	3,841	13	11.
	Grand Total of Offences ..		45,904	50,265	14,725	35,171	146	266.

JUDICIAL STATEMENT B3.

STATEMENT showing the general result of Criminal trials in the Tribunals of various Classes in the Central Provinces, in the year 1869.

CLASS OF TRIBUNAL.	Number of Persons dealt with.					Persons disposed of.								REMARKS.
	Remaining at end of last year.	Brought to trial during present year. By arrest.	Brought to trial during present year. By summons or recognizance.	Received by transfer.	Total.	Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped, or transferred.	Remaining at end of year.	Average number of days during which each case lasted.	Number of witnesses who attended.	
Village Officers	..	..	..	...	..	..	..	..	..	..	..	..	..	
Unpaid Magistrates	12	3 633	8 031	..	11 676	2 973	2 184	6 500	2	7	10	6	17,980	(a) Includes 2,918 persons not shown in Statement B II.; these were discharged at instance of Police, thus:—
Local and Subordinate paid Magistrates	73	15 824	7 355	..	23 252	3 565	2 265	17 327	9	29	57	4	34,494	
Full power Magistrates exercising jurisdiction throughout the district ..	52	10 297	4 097	9	14 455	3 058	1 136	9 719	387	107	48	5	25,640	
Magistrates exercising powers within the precincts of Jails — ..	..	95	148	..	243	..	2	241	..	..	..	1	89	At Head-quarters 494
Chief Magistrates of Districts ..	37	2 900	620	..	3 557	2 212	142	1 013	61	123	6	9	3,845	At Station House or on the spot 2,424
Total Magistracy ..	174	32 749	20 251	9	a 53 183	a 11 808	5 729	34 800	459	b 266	121	5	82,028	Total .. 2,918
Session Court of — Commissioners of Division ...	60	330	..	...	390	...	77	289	..	5	19	45	..	(b) Includes 4 persons who accepted tender of pardon.
Session Court of — Deputy Commissioners of Dists.	..	125	..	..	125	..	29	90	..	...	6	9	..	
High Court	..	..	..	..	..	...	..	..	..	...	..	..	..	
Grand Total ...	234	33 204	20 251	9	53 698	11 808	5 729	34 800	459	271	146	6	82,028	

JUDICIAL STATEMENT B4

STATEMENT showing the punishments inflicted by the various Criminal tribunals in the Central Provinces in the year 1869.

Nature of Punishment.	Number of persons punished.							
	By village Officers.	By unpaid Magistrates.	By Subordinate Local paid Magistrates	By full power Magistrates of general jurisdiction.	By Chief Magistrates of District	By Sessions Courts.	By High Court.	Total
Fined ..		4,591	6,135	4,266	324	7		15,323
Imprisonment (only)		957	3,127	1,982	564	160		6,790
Flogged		502	5,339	3,103	727	6		9,677
Ordered to find Security		9	..	48	22			79
Imprisoned and fined		188	1,018	606	178	77		2,067
Imprisoned and flogged		80	302	217	79	..		678
Fined and flogged		..	14	7	..			21
Death		..	..	..	...	*34		34
Total persons punished ..		6,327	15,935	10,229	1,894	284		34,609
Detail of sentences of fine and imprisonment.								
FINES.								
Not exceeding Rs. 5		4,036	5,537	3,209	187	9		12,978
Do. ,, 50		734	1,592	1,591	278	18		4,213
Do. ,, 200		9	30	71	30	43		183
Do. ,, 1,000		..		16	6	11		33
Exceeding ,, 1,000		..	..	..	1	3		4
Total number of fines		4,779	7,159	4,887	502	84		17,411
Total amount of fines ..		19,792	41,769	49,892	14,019	9,916		†1,35,388
Amount realised		17,522	37,277	36,665	8,360	10,079		1,09,909
Amount paid to injured parties by way of compensation not for frivolous complaints		1,671	2,175	3,924	1.013	835		8,918
Sentences of Imprisonment.								
Not exceeding 15 days — Rigorous ..		251	875	400	13			1,639
Not exceeding 15 days — Simple ..		50	137	89	5			290
Do. 2 months — Rigorous ..		549	1,988	834	119	5		3,495
Do. 2 months — Simple ..		11	35	98	11			155
Do. 6 months — Rigorous ..		230	1,403	860	310	17		2,820
Do. 6 months — Simple ..		3	6	26	6			41
Do. 2 years .. — Rigorous ..		22	3	494	302	135		956
Do. 2 years .. — Simple ..		..		3	..			3
Do. 7 years . — Rigorous ..		..	..	1	55	80		136
Do. 7 years . — Simple ..		..	..	..	..	..		..
Exceeding 7 years .. — Rigorous ..		..	..	..	..	..		..
Exceeding 7 years .. — Simple ..		.		..	..	..		..
Total .. — Rigorous ..		1,152	4,269	2,589	799	237		9,046
Total .. — Simple ..		73	178	216	22			489
Penal Servitude.								
Transportation .. — For terms		..	...	..	.	7		7
Transportation .. — For life		..	..	..	.	48		48
Sentenced in addition to imprisonment to Solitary Confinement		..	..	34	18	..		52
Ditto to forfeiture of property		..	..	..				

* Those only are entered whose sentences were confirmed.

† Including realisations on account of previous years.

JUDICIAL STATEMENT B5.

STATEMENT showing the result of Appeal and Revision of Criminal Cases in the Central Provinces during the year 1869.

TRIBUNALS.		Number of appellants or persons whose cases were called for by High Court.	NUMBER OF PERSONS.					
			Appeals rejected.	Sentence confirmed.	Sentence modified.	Sentence reversed.	Returned for new trial or further investigation.	Pending.
Magistrates of Districts	Appeals from unpaid Magistrates	Record imperfect.	7	93	37	108	5	7
	Appeals from paid Magistrates		15	206	55	91	7	5
Sessions Court	From unpaid Magistrates ..		3	12	3	6	..	..
	From paid Magistrates ..		83	298	40	61	..	34
From Sessions Court..		126	..	62	39	19	..	6
On Revision by High Court		101	..	..	20	81	..	..

JUDICIAL STATEMENT B11.

STATEMENT showing use of Juries and Assessors in the Courts of the Central Provinces, in the year 1869.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualification.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors' Trials.		Note showing in what classes of cases Juries have been principally employed.
				Verdict in favor of the prosecutor or plaintiff.	Verdict in favour of the accused or defendant.	Jury discharged without Verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judge differed from Assessors.	
Criminal Courts.									
Courts of Deputy Commissioners exercising enhanced powers under Act XV. of 1862 ..	2 Assessors in each case. The prescribed legal qualifications are education, character, and age. ..	..	35	..	..	..	34	1	Criminal trials
Sessions Courts of Deputy Commissioners exercising powers under Section 445A, Act VIII of 1869 ..	ditto	..	75	..	...	..	69	4	Do.
Sessions Courts of Commissioners ..	ditto	..	187	..	..	..	172	15	Do.
Total ..	2	..	293	..	..	..	275	20	

No. I

Abstract Statement of offences and of offenders brought before Magistrates' Courts in the several Districts of the Central Provinces during 1869.

District.	Class of offences.	Number of offences committed during the year.	Undisposed of at the close of the year. Cases.	Undisposed of at the close of the year. Persons.	Apprehended and appeared on Summons during the year. Cases.	Apprehended and appeared on Summons during the year. Persons.	Received by transfer. Cases.	Received by transfer. Persons.	Total for disposal. Cases.	Total for disposal. Persons.
Nagpore	Cognizable	2,140	7	8	1,609	2,528	..	...	1,616	2,536
	Non-Cognizable	1,723	4	6	1,723	3,448	..	...	1,727	3,454
Chanda	Cognizable	2,443	3	4	1,147	2,042	..	..	1,150	2,046
	Non-Cognizable	319	3	4	307	526	..	..	310	530
Bhundara	Cognizable	3,192	1	1	1,362	2,459	..	...	1,363	2,460
	Non-Cognizable	345	1	1	288	504	...	..	289	505
Wurdah	Cognizable	511	5	10	368	668	..	..	373	678
	Non-Cognizable	487	1	1	487	815	..	..	488	816
Balaghat	Cognizable	1,308	3	6	670	1,149	..	..	673	1,155
	Non-Cognizable	203	5	8	203	315	...	...	211	323
Jubbulpore	Cognizable	3,508	...	...	2,620	4,053	5	7	2,625	4,060
	Non-Cognizable	1,109	1	1	1,109	1,806	..	...	1,110	1,807
Saugor	Cognizable	3,342	2	3	2,103	2,937	...	...	2,105	2,940
	Non-Cognizable	1,483	4	7	1,483	2,877	..	...	1,487	2,884
Dumoh	Cognizable	2,777	1	1	1,107	1,678	..	..	1,108	1,679
	Non-Cognizable	188	1	1	190	273	..	...	191	274
Seonee	Cognizable	1,233	1	2	717	1,175	..	..	718	1,177
	Non-Cognizable	700	...	...	699	1,087	..	..	699	1,087
Mundlah	Cognizable	1,041	..	...	438	892	...	...	438	892
	Non-Cognizable	181	1	1	181	267	..	..	182	268
Hoshungabad	Cognizable	1,261	4	11	804	1,371	..	...	808	1,382
	Non-Cognizable	1,238	2	2	1,037	2,167	...	..	1,039	2,169
Baitool	Cognizable	861	2	2	519	1,003	1	1	522	1,006
	Non-Cognizable	434	16	33	526	939	...	..	542	972
Nursingpore	Cognizable	2,134	2	2	930	1,440	1	1	933	1,443
	Non-Cognizable	1,018	7	9	1,018	1,904	...	..	1,025	1,913
Nimar	Cognizable	1,153	3	9	776	1,191	..	...	779	1,200
	Non-Cognizable	737	10	17	737	1,282	...	..	747	1,299
Chindwara	Cognizable	915	...	...	488	841	..	..	488	841
	Non-Cognizable	442	1	2	442	785	...	..	443	787
Raepore	Cognizable	2,376	...	...	1,682	2,958	..	..	1,682	2,958
	Non-Cognizable	416	...	..	416	828	...	..	416	828
Sumbulpore	Cognizable	1,883	.	...	742	1,405	..	..	742	1,405
	Non-Cognizable	292	...	..	292	484	...	...	292	484
Beiaspore	Cognizable	1,960	4	10	1,029	1,970	..	...	1,033	1,980
	Non-Cognizable	267	..	..	265	482	...	..	265	482
Upper Godavery	Cognizable	158	3	6	133	240	..	..	136	246
	Non-Cognizable	126	3	6	126	211	..	...	129	217
Total 1869.	Cognizable	34,196	41	75	19,244	32,000	7	9	19,292	32,084
Total 1868.	Cognizable	22,370	34	95	12,549	21,531	57	89	12,640	21,715
Total 1869.	Non-Cognizable	11,708	63	99	11,529	21,000	..	..	11,592	21,099
Total 1868.	Non-Cognizable	13,398	35	54	13,351	24,707	2	2	13,388	24,763
Grand Total 1869.		45,904	104	174	30,773	53,000	7	9	30,884	53,183
Grand Total 1868.		35,768	69	149	25,900	46,238	59	91	26,028	46,472

District.	Class of offences.	Persons Disposed of. Discharged. At instance of Police, having been released. At Head-quarters.	At station-house or on the spot.	On enquiry before Magistrate. In cases requiring formal charge.	In other cases.	Committed.	Convicted.	Acquitted.	Accepted tender of pardon.	Died.	Escaped.	Transferred.	Undisposed of at the end of the year. Cases.	Persons. In custody.	Persons. On bail, or Recognizance.
Nagpore	Cognizable	22	153	218	25	18	1,933	158	1	3	2	1	2	1	1
	Non-Cognizable	...	..	322	84	9	1,265	1,063	...	2	3	...	4	1	5
Chanda	Cognizable	49	187	351	4	23	1,368	55	...	2	..	2	5	3	2
	Non-Cognizable	...	..	47	34	12	370	64	..	...	..	...	2	.	3
Bhundara	Cognizable	48	291	215	3	34	1,791	73	..	1	1	...	..	..	...
	Non-Cognizable	..	..	59	59	...	267	120	..	..	..	...	..	..	...
Wurdah	Cognizable	33	16	74	17	2	395	138	.	...	..	...	1	..	3
	Non-Cognizable	...	...	82	109	3	429	193	...	..	.	..	...	..	..
Balaghat	Cognizable	13	47	44	...	12	989	48	...	1	..	..	1	..	1
	Non-Cognizable	..	..	20	23	5	181	91	...	2	..	...	1	...	1
Jubbulpore	Cognizable	47	185	209	6	48	3,464	86	..	4	1	10	...	..	..
	Non-Cognizable	.	...	158	268	11	1,075	291	...	3	..	..	1	...	1
Saugor	Cognizable	85	320	149	...	26	2,109	180	..	4	2	57	7	8	...
	Non-Cognizable	...	..	426	478	6	1,439	524	...	1	3	2	3	2	3
Dumoh	Cognizable	35	140	136	26	4	1,265	40	..	..	.	33	...	..	...
	Non-Cognizable	..	..	54	7	3	129	81	.	..	...	...	..	..	...
Seonee	Cognizable	7	155	86	1	6	839	56	...	1	4	...	11	19	3
	Non-Cognizable	.	..	46	180	5	686	168	..	1	...	..	1	1	..
Mundlah	Cognizable	54	88	91	8	4	551	27	..	1	3	65	..	..	...
	Non-Cognizable	..	..	23	33	1	145	66	...	...	..	..	..	...	...
Hoshungabad	Cognizable	1	108	151	122	43	842	110	...	...	..	...	3	5	...
	Non-Cognizable	..	..	387	464	10	1,102	200	...	1	1	..	4	2	2
Baitool	Cognizable	5	138	123	1	6	663	69	...	..	..	..	1	1	..
	Non-Cognizable	..	..	50	259	7	436	209	..	..	1	...	1	..	1
Nursingpore	Cognizable	19	115	115	38	21	993	131	..	2	1	..	4	8	..
	Non-Cognizable	..	..	127	178	..	1,058	547	..	..	..	...	2	...	3
Nimar	Cognizable	15	117	160	43	20	757	72	1	..	4	8	3	3	..
	Non-Cognizable	...	..	271	268	14	564	152	.	1	3	..	15	..	26
Chindwara	Cognizable	9	20	52	14	16	674	54	2	...	..	..	..	..	..
	Non-Cognizable	...	...	28	185	7	403	164	..	..	..	..	...	..	..
Raepore	Cognizable	15	133	182	2	40	2,488	97	...	...	1	..	..	..	..
	Non-Cognizable	...	..	54	75	3	575	119	..	..	2	..	...	..	...
Sumbulpore	Cognizable	24	114	109	9	26	1,105	23	..	1	..	...	...	.	..
	Non-Cognizable	..	..	21	67	...	360	36	..	...	...	...	...	..	..
Beiaspore	Cognizable	9	79	260	4	13	1,515	66	...	11	6	2	4	9	..
	Non-Cognizable	..	..	65	30	1	295	88		1	1	...	1	1	..
Upper Godavery	Cognizable	4	18	12	7	6	178	21	...	..	..	..	...	..	..
	Non-Cognizable	..	..	24	40	...	102	49	...	...	...	...	2	1	1
Total 1869.	Cognizable	494	2,424	2,746	330	362	23,919	1,504	4	31	25	178	42	57	10
Total 1868.	Cognizable	417	2,245	1,918	396	311	14,584	1,510	4	15	28	212	42	60	15
Total 1869.	Non-Cognizable	..	...	2,273	3,541	97	10,881	4,225	..	12	14	2	37	8	46
Total 1868.	Non-Cognizable	2	1	2,302	3,870	34	13,515	4,879	2	5	47	7	62	9	90
Grand Total 1869.		494	2,424	5,019	3,871	459	34,800	5,729	4	43	39	180	79	65	56
Grand Total 1868.		419	2,246	4,220	4,266	345	28,099	6,389	6	20	75	219	104	69	105

No. II.

STATEMENT exhibiting details of the Criminal Work of Magistrates in the several Districts of the Central Provinces during the year 1869.

DISTRICT.	Cases.												Miscellaneous proceedings, applications and petitions of every description disposed of.
	Enquiries.						Trials.						
	Total number.	Under Chapter XII., Code of Criminal Procedure	By Subordinate Magistrates under Sections 135 and 180, and Chapter XVI., Code of Criminal Procedure	In cases triable by Magistrates requiring formal charge.	In cases where no formal charge is required.	Pending.	Total number.	Cases in which formal charge is required: By Magistrates exercising powers under Act XV. of 1862.	Cases in which formal charge is required: By other Magistrates.	Cases in which no formal charge is required.	Submitted to Magistrate under Section 277, Code of Criminal Procedure.	Pending.	
Nagpore ...	609	12	...	305	288	4	2,458	11	1,039	1,378	28	2	839
Chenda ...	217	28	15	157	13	4	1,084	1	748	251	81	3	1,452
Bhundara ..	172	17	..	125	30	...	1,247	2	960	188	97	..	1,327
Wurdah ..	175	5	...	98	71	1	677	3	226	446	2	...	389
Balaghat ..	56	18	..	27	9	2	804	...	588	188	28	...	30
Jubbulpore ...	385	52	1	175	156	1	3,031	17	2,072	919	23	..	2,164
Saugor ...	589	24	...	335	220	10	2,696	20	1,640	1,014	22	...	9,072
Dumoh ..	122	7	..	93	22	..	1,035	6	894	135	...	...	783
Seonee ..	211	10	..	62	129	10	1,103	5	538	534	4	2	152
Mundla ...	105	5	..	75	25	..	420	3	233	152	32	...	721
Hoshungabad ..	478	29	..	206	238	5	1,286	1	668	595	21	1	3,054
Baitool ..	225	17	..	96	110	2	727	3	335	370	19	...	252
Nursingpore ...	278	16	..	143	114	5	1,513	14	682	777	39	1	752
Nimar ..	420	18	...	223	161	18	1,008	6	439	560	3	...	481
Chindwara ..	153	10	...	43	100	..	726	...	352	344	30	...	891
Raepore ..	159	28	..	96	35	..	1,811	..	1,327	477	7	..	1,514
Sumbulpore ..	109	11	...	57	41	..	843	3	552	256	22	..	784
Belaspore ..	146	13	...	112	20	1	1,096	6	823	174	89	4	1,078
Upper Godavery ..	58	9	...	23	25	1	200	2	80	117	..	1	312
TOTAL 1869	4,667	329	16	2,451	1,807	64	23,765	103	14,216	8,885	547	14	26,047
TOTAL 1868	4,333	183	6	2,185	1 898	61	19,424	208	8,428	10,373	374	41	30,581

NOTE.—The additions to this Statement referred to in para. 1 of the Report have been transferred to Statement I.

No. III.

Statement exhibiting the degrees of punishment inflicted by Magistrates in the several Districts of the Central Provinces during the year 1869.

DISTRICT.		Transportation for 7 years.	Persons Sentenced to. Imprisonment. 7 years and under. Rigorous.	Simple.	With fine.	With whipping.	2 years and under. Rigorous.	Simple.	With fine.	With whipping.	6 months and under. Rigorous.	Simple.	With fine.	With whipping.	2 months and under. Rigorous.	Simple.	With fine.	With whipping.	15 days and under. Rigorous.	Simple.	With fine.	With whipping.	Whipped and fined.	Whipping. Only. Adults.	Juveniles.	Total number whipped.	Total number of Stripes.	Solitary confinement.	Fine only.	Fine. Detail of fines. Above 1,000 Rupees.	1,000 Rupees and under.	200 Rupees and under.	50 Rupees and under.	5 Rupees and under.	Total Amount of Fines. Imposed.	Realized. On account of former periods.	On account of period under report.	Applied in compensation under Section 44 Code of Criminal Procedure. Ordered.	Paid. On account of former periods.	On account of period under report.	Persons sentenced to. Find security. For good Conduct for. More than one year.	One year or under.	To keep the peace.	Enter into recognizance to keep the peace.	Dismissal from office.	Maintain wives or children.	Refrain from taking possession of land or water.	Compensation on account of Frivolous complaints. Number of persons.	Amount imposed.	Amount realized.
Nagpore	..	..	7	..	..	..	82	...	13	20	184	5	25	53	238	5	45	16	234	36	52	6	...	362	27	486	7,040	9	1,920	1	2	20	378	1,654	15,682	87	12,493	2,561	2	962	..	15	1	...	..	19	..	62	238	237
Chanda	..	..	...	..	...	..	42	...	4	[illegible]	215	...	32	3	416	13	142	...	195	67	57	...	2	263	31	304	4,203	..	481	..	..	1	115	602	3,119	527	2,822	127	8	28	...	6	...	..	..	4	...	2	50	15
Bhundara	..	..	4	..	...	..	20	..	5	[illegible]	100	2	7	27	151	10	18	28	139	16	9	10	...	1,241	34	1,344	11,719	4	332	...	1	2	93	275	2,472	184	2,212	371	132	319	...	1	..	..	..	4	...	4	15	12
Wurdah	...	..	1	..	...	..	4	...	..	1	44	1	26	..	48	3	24	...	36	7	12	...	..	89	4	94	1,388	...	579	..	...	3	194	444	4,492	173	3,957	476	27	399	..	..	..	..	...	3	2	5	20	20
Balaghat	...	...	...	..	...	...	6	...	1	...	104	1	6	33	229	2	39	5	48	1	6	...	..	500	15	553	9,313	.	253	...	2	4	75	224	3,423	225	2,901	333	10	265	1	4	...	...	...	2	1	4	8	8
Jubbulpore	...	..	10	..	2	1	130	2	55	32	568	7	77	119	486	17	39	35	198	18	11	1	11	1,509	86	1,795	20,317	21	1,451	...	8	25	448	1,170	17,637	367	10,889	2,000	15	1,081	..	7	5	3	...	19	7	16	46	46
Saugor	..	..	8	...	4	...	60	...	15	[illegible]	172	2	51	3	245	29	55	3	160	29	17	3	5	711	21	752	8,583	...	2,052	..	3	15	574	1,607	15,469	612	9,014	2,586	217	550	...	18	1	...	...	25	...	19	28	26
Dumoh	...	..	1	...	..	..	23	...	..	[illegible]	181	1	19	8	244	7	13	6	144	10	...	2	..	561	23	603	7,627	...	187	..	1	...	118	100	1,699	100	1,515	106	71	80	..	1	1	...	...	5	..	6	27	27
Seonee	..	..	2	..	..	...	28	1	14	[illegible]	175	3	68	12	113	6	26	...	48	7	7	..	2	394	16	433	8,692	...	728	...	..	8	211	626	5,865	61	4,872	362	48	357	...	1	..	...	..	1	..	...	..	..	..
Mundla	..	..	2	...	1	...	22	...	6	[illegible]	119	..	9	..	71	11	43	..	9	4	5	...	..	217	1	224	3,707	...	232	...	..	2	65	229	1,836	382	1,411	267	20	217	..	..	...	...	..	1	..	7	16	16
Hoshungabad	..	...	1	..	...	..	86	...	20	[illegible]	159	4	39	7	120	3	36	2	29	9	7	...	..	92	4	107	1,363	..	1,408	..	1	15	332	1,162	9,896	...	3,333	576	..	446	...	..	...	...	..	2	..	27	65	65
Baitool	...	..	2	..	2	...	20	...	16	...	74	3	49	13	69	3	55	..	24	7	16	..	..	79	8	100	1,279	...	766	..	2	7	211	684	6,817	290	5,000	397	131	293	..	3	...	...	..	2	..	39	83	83
Nursingpore	...	..	9	..	1	...	60	...	5	[illegible]	119	1	30	8	157	17	51	5	85	12	41	..	...	227	13	260	3,833	12	1,273	..	..	9	371	1,021	8,383	394	7,548	1,030	...	896	..	..	..	...	...	13	..	65	331	321
Nimar	..	..	5	...	...	...	33	...	10	[illegible]	61	4	10	3	131	15	45	...	29	25	13	..	...	83	14	103	1,656	..	901	..	1	12	220	746	7,24	195	5,752	810	24	278	..	1	...	...	...	..	...	21	71	71
Chindwara	..	...	...	..	...	...	20	...	8	[illegible]	63	...	9	11	75	..	21	7	43	5	13	..	1	178	15	217	3,163	5	650	..	...	6	144	552	3,820	163	3,559	423	38	209	..	8	...	...	...	4	2	15	87	57
Raepore	...	...	...	...	...	...	33	...	6	[illegible]	196	6	15	33	307	5	22	12	140	16	11	3	..	1,166	48	1,267	15,309	1	1,139	..	...	2	236	961	5,760	99	5,448	180	..	144	...	..	...	...	...	6	..	6	27	27
Sumbulpore	..	...	1	...	..	1	25	...	5	[illegible]	71	..	21	3	209	2	57	40	33	20	6	..	...	662	12	719	10,055	..	419	...	1	2	162	343	4,689	107	3,711	1,202	50	537	...	..	...	...	...	5	..	6	21	21
Belaspore	..	..	3	...	3	...	126	...	82	2[illegible]	183	1	88	17	160	2	79	2	40	...	14	..	..	926	30	999	15,763	...	328	..	...	5	197	392	5,204	20	2,676	270	..	193	...	4	..	...	...	2	..	5	19	19
Upper Godavery	..	...	...	...	...	..	1	...	1	...	21	...	10	...	21	5	11	1	5	1	2	..	...	6	1	8	29	..	217	...	...	2	62	177	1,964	..	1,731	38	..	36	...	...	1	..	..	2	..	..	..	..
Grand Total 1869	...	...	56	..	13	2	821	3	266	13[illegible]	2,803	41	591	355	3,490	155	821	162	1,639	290	299	25	21	9,266	433	10,368	1,35,039	52	15,316	1	22	140	4,195	12,969	1,25,472	3,986	95,844	14,115	793	7,290	1	69	9	3	...	119	12	309	1,152	1,071
Grand Total 1868		2	72	...	20	1	829	4	262	8[illegible]	3,569	168	1,170	222	..	...	..	..	767	190	309	13	16	3,812	144	4,290	57,025	53	17,862	5	36	216	4,958	14,436	1,69,358	4,211	1,24,795	15,045	794	8,071	..	279	8	7	..	134	4	239	880	864

* These figures include persons whipped for breaches of Jail discipline, and therefore not entered in Statement IIIA., as under the Whipping Act.

No. IV.

Statement exhibiting the detention of Witnesses before Magistrates in the Central Provinces during the year 1869.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
District.	*Number of Witnesses discharged after*											Undischarged at the close of the year.	Remarks.
	1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 to 10 days.	11 to 15 days.	16 days and upwards.	Total.		
Nagpore ..	8,310	2,073	386	55	8	1	..	...	..	..	10,833	..	20th Decr. 1869. These witnesses belonged to a case which was transferred to the Court of a subordinate Magistrate, who happened to be absent on tour. The date given above is that on which the witnesses first attended in the Court which ordered transfer.
Chanda ..	3,996	201	130	49	18	5	3	11	1	3	4,417	2	
Bhundara ...	4,120	256	95	18	8	4	5	3	7	..	4,516	..	
Wurdah ..	2,004	257	77	42	21	8	...	9	3	..	2,427	..	
Balaghat ...	2,285	158	41	33	52	23	3	7	..	..	2,602	..	
Jubbulpore..	8,260	925	259	99	39	3	7	3	...	..	9,595	...	
Saugor ...	5,850	515	219	113	37	14	12	25	23	5	6,813	..	
Dumoh ..	1,908	151	40	1	8	6	..	...	9	..	2,123	..	
Seonee ..	2,439	242	61	29	15	6	10	4	5	...	2,811	..	
Mundla ...	1,287	325	92	66	4	4	27	5	..	...	1,810	..	
Hoshungabad	4,048	585	292	67	34	13	..	..	...	..	5,039	..	
Baitool ..	3,075	266	107	22	14	1	..	5	..	...	3,490	...	
Nursingpore .	5,106	471	94	44	20	22	..	3	..	...	5,760	...	
Nimar ..	3,500	574	139	59	26	8	14	...	1	...	4,321	..	
Chindwara ..	2,125	388	135	29	17	18	22	51	6	..	2,791	..	
Raepore ...	5,056	134	36	6	11	2	6	5	7	4	5,267	..	
Sumbulpore .	2,294	253	13	13	4	..	..	..	...	...	2,577	...	
Belaspore ..	2,972	792	219	69	30	2	14	11	...	...	4,109	..	
Upper Gody.	641	85	..	..	1	..	..	..	..	..	727	...	
Total 1869	69,276	8,651	2,435	820	367	140	123	142	62	12	82,028	2	
Total 1868	55,278	7,820	1,965	650	243	119	144	103	129	60	66,511	..	

N°. V.

STATEMENT of Appeals from Sentences by the Criminal Courts in the Central Provinces during the year 1869.

1	2	3	4	5	6	7	8	9
APPELLATE COURTS.	Total for disposal.	REJECTED As inadmissible.	REJECTED As untenable.	Orders modified.	Orders reversed.	Pending at the close of the year	Date of oldest pending case.	REMARKS.
Sudder Court ..	126	..	62	39	19	6	1st Nov. 1869	Average duration 7 days.
SESSIONS COURTS.								
Nagpore Division ..	166	1	130	18	16	1	...	" 14 "
Jubbulpore " ..	99	16	58	1	2	22	30th Jan 1869	" 38 "
Nerbudda " ..	256	69	109	23	44	11	9th Nov. 1869	" 16 "
Chutteesgurh " ..	19	...	13	1	5	..	..	" 10 "
MAGISTRATES OF DISTRICTS.								
Nagpore ..	38	2	22	6	7	1	22nd Dec. 1869	
Chanda ...	6	...	2	1	3	..	..	
Bhundara ..	3	..	3	..	...	...	..	
Wurdah ...	49	...	23	6	20	..	...	
Balaghat ...	2	..	1	..	1	..	...	
Jubbulpore ..	59	..	44	4	10	1	..	
Saugor ...	70	..	19	10	41	...	...	
Dumoh ..	11	..	9	..	2	..	...	
Seonee ..	21	2	10	4	1	4	22nd Dec. 1869	
Mundla ...	3	..	2	1	...	..	...	
Hoshungabad ..	44	1	24	5	14	..	..	
Baitool ...	79	1	61	6	11	...	..	
Nursingpore ..	127	5	35	28	59	..	...	
Nimar ..	58	..	36	4	12	6	..	
Chindwara ..	19	10	..	3	6	..	..	
Raepore ..	13	1	3	2	7	..	...	
Sumbulpore ...	4	..	1	1	2	..	..	
Belaspore ...	15	..	3	10	2	...	...	
Upper Godavery ...	3	...	1	1	1	..	...	
TOTAL.....	1,290	108	671	174	285	52	30th Jan. 1869	

No. VI.

Statement of Cases in which European British Subjects were charged with offences in the Central Provinces during the year 1869.

DISTRICT.	Inquiries by Justice of the Peace, under Section 41, Code of Criminal Procedure.				Trials by Justice of the Peace, under Section 42, Code of Criminal Procedure.		
		Persons. Committed to High Court.			Persons.		
	Cases.	Released.	In Custody.	On Bail.	Cases.	Acquitted.	Convicted.
1	2	3	4	5	6	7	8
Nagpore	..	...	..	..	5	...	10
Chanda	..	..	..	..	1	...	1
Wurdah	...	...	...	...	1	1	..
Jubbulpore	2	4	...	...	14	5	10
Saugor	..	..	...	..	3	2	1
Seonce	...	..	...	..	1	2	...
Nursingpore	...	...	..	..	1	..	1
Nimar	2	..	1	1	10	1	7
Chindwara..	1	...	1	..	...	...	...
Raepore	..	..	..	..	1	...	1
Upper Godavery	...	...	..	...	1	..	1
Total 1869 ..	5	4	2	1	38	11	32
Total 1868 .	6	7	..	..	47	24	30

No. VII. A.

Statement showing duration before Magistrates in the several districts of the Central Provinces of cases sent in by the Police during the year 1869.

1	2													3	4	5	6	7
	Number of cases decided within days —																	
DISTRICT.	1	2	3	4	5	6	7	8 to 14	15 to 21.	22 to 30.	31 to 60.	61 to 100	101 to 126.	Total number of cases.	Average duration of each case.	Number in which a remand was granted	Number in which further evidence was called for.	Number against whom different crime was found.
Nagpore ..	952	208	93	56	37	31	14	60	15	10	2	1	..	1,479	2·4	82	137	140
Chanda ..	677	61	54	30	21	16	14	66	10	9	9	2	1	970	3·1	23	96	290
Bhundara ..	849	148	74	25	9	10	10	20	6	...	4	..	..	1,155	1·8	33	32	208
Wurdah ..	132	69	20	10	7	7	1	20	5	3	1	...	..	275	3·0	10	20	33
Balaghat ..	414	115	45	12	15	4	4	16	9	1	1	2	..	638	2·3	6	35	74
Jubbulpore ..	1,844	289	120	42	18	14	5	35	7	7	3	..	..	2,384	1·6	87	129	84
Saugor ..	1,355	132	87	63	28	25	15	63	35	26	17	21	1	1,868	3·6	92	105	74
Dumoh ..	773	87	24	5	4	6	4	17	3	1	1	...	..	925	1·5	43	25	65
Seonee ..	445	64	16	5	3	6	3	14	5	2	..	1	..	564	1·8	31	29	51
Mundla ...	205	65	17	21	1	3	6	9	4	1	..	..	..	330	2·0	30	10	30
Hoshungabad ...	218	140	82	34	23	16	18	52	12	3	7	1	..	606	4·0	27	65	48
Baitool ..	236	61	24	21	7	8	6	32	17	8	1	..	...	421	3·5	15	103	110
Nursingpore ..	351	139	52	23	27	13	12	53	20	6	5	...	..	701	3·4	55	73	63
Nimar ..	371	91	43	18	18	11	7	23	7	1	2	..	..	592	2·5	22	21	23
Chindwara ...	282	67	31	16	14	6	5	15	3	..	...	...	..	448	2·2	31	20	128
Raepore ..	1,359	47	27	11	5	9	7	20	5	2	2	...	...	1,494	1·4	33	50	260
Sumbulpore ..	496	76	13	9	1	1	...	5	..	..	2	..	...	603	1·4	42	8	45
Belaspore ..	517	162	72	45	21	11	15	42	20	8	1	1	..	915	2·8	59	64	377
Upper Godavery ...	83	23	7	1	...	2	1	4	2	..	..	..	..	125	2·0	9	9	33
Total .. 1869 ..	11,562	2,044	901	447	259	199	147	574	183	88	58	29	2	16,493	2·4	730	1,031	2,142
Total .. 1868 ..	6,124	1,476	644	317	260	216	155	622	230	145	98	16	4	10,307	3·4	659	828	1,027

No. VII. B.

Statement showing duration of cases instituted directly before the Magistrates in the several districts of the Central Provinces during the year 1869.

1	2					3	4
District.	*Number of cases disposed of within days—*					Total Number of cases.	Average duration of each case.
	1 to 7.	8 to 14.	15 to 21.	22 to 30.	31 to 200.		
Nagpore	839	628	174	62	20	1,723	9
Chanda	158	81	45	22	29	335	13
Bhundara	134	94	24	18	6	276	9
Wurdah	300	190	53	22	15	580	8
Balaghat	116	58	14	16	16	220	12
Jubbulpore	700	289	75	17	8	1,089	7
Saugor	816	374	143	75	68	1,476	10
Dumoh	135	81	26	3	3	248	8
Seonee	442	178	58	33	22	733	9
Mundlah	115	47	26	7	1	196	8
Hoshungabad	654	306	123	51	35	1,169	9
Baitool	135	257	86	31	29	538	13
Nursingpore	395	433	146	83	40	1,097	11
Nimar	405	258	76	45	39	823	10
Chindwara	208	176	31	20	12	447	9
Raepore	333	90	42	17	12	494	7
Sumbulpore	270	65	23	3	1	362	5
Belaspore	176	79	29	29	16	329	10
Upper Godavery	85	30	9	1	6	131	7
Total .. 1869	6,416	3,714	1,203	555	378	12,266	9
Total .. 1868	7,490	3,877	1,359	705	387	13,818	9

No. VIII.

Statement of cases and persons tried in the Courts of Sessions in the Central Provinces during the year 1869.

In the Court of Sessions of the.	Under trial at the close of the year.		Committed to Sessions Court during the year.		Total number of persons under trial	Disposed of.			Under trial at the close of the year.			Average duration of decided cases.	Longest period any decided case was pending.	Date of commitment of oldest case pending.
	Cases.	Persons.	Cases.	Persons.		Convicted.	Acquitted.	Died, Escaped or transferred.	Cases.	Persons. In custody.	Persons. On bail.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Commissioner.														
Nagpore Division ...	9	31	46	87	118	85	29	2	2	2	..	28	255	25th Novr. 1869.
Jubbulpore "	3	10	56	81	91	72	8	...	8	10	1	49	221	June 1869.
Nerbudda "	12	18	49	100	118	74	38	2	3	4	...	66	207	3rd Novr. 1869.
Chutteesgurh "	1	1	35	63	64	59	2	1	2	2	..	40	217	11th Decr. 1869.
Deputy Commissioner.														
Nagpore District..	..	..	6	16	16	9	7	..	..	..	..	19	49	
Chanda do. ...	..	...	5	10	10	8	2	..	...	...	..	8	22	
Bhundara do. ...	..	...	3	4	4	4	..	..	..	...	...	2	..	
Wurdah do. ..	..	...	3	3	3	2	1	..	..	..	..	14	..	
Balaghat do. ..	..	..	2	2	2	1	1	..	..	...	...	27	..	
Jubbulpore do. ..	..	..	10	16	16	11	3	..	1	2	...	4	9	Decr. 1869.
Saugor do. ..	..	..	6	7	7	5	2	..	...	...	..	16	60	
Seonee do. ...	..	..	5	6	6	4	...	...	2	2	...	4	...	Decr. 1869.
Hoshungabad do. ...	...	..	11	15	15	13	2	..	..	..	..	5	..	
Nursingpore do. ...	..	...	8	10	10	9	1	..	..	..	..	9	...	
Nimar do. ..	..	..	10	14	14	8	4	..	2	2	...	6	24	Decr. 1869.
Chindwara do. ..	..	..	1	3	3	..	3	..	..	..	..	...	..	
Raepore do. ..	..	...	5	5	5	2	3	..	..	..	..	7	..	
Sumbulpore do. ...	..	..	5	6	6	6	...	..	..	..	...	3	8	
Belaspore do. ..	..	...	2	7	7	7	...	...	...	...	...	11	21	
Upper Gody. do. ...	..	..	1	1	1	1	..	..	...	..	...	2	..	
Total .. 1869	25	60	271	456	516	380	106	5	20	24	1	27	255	
Total .. 1868	9	12	158	339	351	209	80	2	25	57	3	55	299	

No. IX.

Statement exhibiting the degrees of punishment inflicted by the Courts of Sessions in the Central Provinces during the year 1869.

In the Court of Sessions of the—	PERSONS SENTENCED TO																							
		TRANSPORTATION.			IMPRISONMENT.										FINE.									
					7 years and under.		2 years and under.		6 months and under.		2 months and under.												*Applied in compensation under Section 44, Code of Criminal Procedure.*	
	Death.	For life.	For 10 years and above.	For 7 years and above.	Rigorous.	With fine.	Rigorous.	With fine.	Rigorous.	With fine.	Rigorous.	With fine.	Fine only.	Whipping only.	Above Rs. 1,000.	Below Rs. 1,000 to Rs. 500.	Below Rs. 500 to Rs. 200.	Below Rs. 200.	Rs. 50 and under.	Rs. 5 and under.	Total Imposed.	Realized.	Ordered.	Paid.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
																					Rs.	Rs.	Rs.	Rs.
Commissioner.																								
Nagpore Division ..	3	7	...	...	33	4	33	5	5	3	2	..	1	1	1	2	...	2	5	3	1,000	7,531	8,946	765
Jubbulpore „ ..	14	15	4	...	22	1	14	10	...	.	..	..	2	1	..	...	1	12	..	..	940	..	..	..
Nerbudda „ ..	11	7	2	1	22	..	27	12	..	..	...	..	1	3	1	..	1	11	..	..	1,736	736	50	..
Chuteesgurh „ ...	14	19	...	..	9	1	16	2	..	...	..	..	..	1	..	..	...	3	..	..	85	200	..	70
Deputy Commissioner.																								
Nagpore District ..	...	...	...	...	4	..	3	1	..	..	..	..	...	2	..	..	1	..	..	..	200	50	..	..
Chanda do. ...	..	..	...	...	[illegible]	..	2	[illegible]	5	2	..	..	..	...	..	.	..	...	2	..	100	...	...	..
Bhundara do. ...	...	..	...	...	3	...	..	...	1	...	...	..	..	...	..	..	..	...	..	..	..	...	25	..
Wurdah do. .	...	..	..	...	..	..	1	..	1	...	...	..	..	..	..	..	...	..	..	..	..	...	10	..
Balaghat do. ..	..	...	..	...	1	...	...	..	..	..	..	..	..	...	...	..	.	...	...	...	...	453	...	..
Jubbulpore do. ...	..	...	...	..	2	1	8	8	..	..	..	.	1	...	..	..	3	7	..	..	1,140	..	..	..
Saugor do. ...	..	...	..	...		...	5	...	...	..	..	..	..	...	..	..	..	...	..	...		..	..	...
Seonee do. ..	..	...	..	...	1	1	3	3	..	..	...	..	..	..	1	..	..	...	3	..	3,150	170	..	..
Hoshungabad do. ..	..	..	...	..	1	..	11	3	..	..	...	..	1	...	..	..	..	4	..	..	195	750	..	...
Nursingpore do. ..	..	...	..	...	3	1	5	5	..	...	2	..	..	...	...	..	4	2	..	...	1,000	50	..	..
Nimar do. ...	...	..	...	..	2	...	1	1	2	2	2	2	1	...	..	..	..	1	5	..	270	70	70	...
Raepore do. ..	..	..	..	...	..	..	2	..	..	..	..	..	..	..	...	...	...		..	...	..	..	..	...
Sumbulpore do. ...	..	...	...	..	...	...	2	..	3	1	1	1	..	...	..	...	...	...	2	..	70	70	..	..
Belaspore do. ..	..	..	...	...	7	6	..	..	..	..	..	..	..	...	...	..	..	...	...	6	30	..	..	...
Upper Gody. do. ..	..	...	..	...	..	...	1	1	..	..	..	.	...	...	..	..	...	...	1	...	..	..	..	..
Total .. 1869	42	48	6	1	110	15	135	51	17	8	7	3	7	8	3	2	10	42	18	9	9,916	10,080	9,101	835
Total .. 1868	31	22	8	22	62	2	52	7	..	..	..	..	4	5	...	..	3	9	..	...	1,506	454	91	..

Statement No VIII—(*Criminal.*)

General Statement regarding the work of each Officer employed in the Central Provinces during the year 1869

(D C. signifies Deputy Commissioner, A C, Assistant Commissioner, E. A. C, Extra Assistant Commissioner, C M, Cantonment Magistrate, J M, Jail Magistrate, T, Tehseeldar, H M, Honorary Magistrate, and O before any such abbreviation signifies Officiating)

Period of employment		Name and designation of Officer	Criminal				
			Number of cases disposed of	Average duration of cases		Percentage of persons convicted or committed to persons for disposal	Percentage of witnesses discharged in one day to total number summoned
				Police cases	Other cases		
Months	*Days*	NAGPORE					
12	..	Major F Fenton, D C. .	24	10	20	13	62
2	24	Capt S Brooke, A C ...	3	1	...	66	100
4	8	T Drysdale, Esq, A C ..	81	6	8	50	77
12	..	Lt. E W C H Miller, A C ...	202	2	11	55	86
2	14	Capt J Temple A. C. ..	47	1	9	66	92
3	22	L Neill, Esq, A C ..	18	3	6	74	88
12	..	Capt T H B Brooke, C M ..	279	1	5	82	82
12	..	Dr J Law, J M .	35	..	1	100	...
9	11	Lt F B Morris, A C ..	31	1	8	48	97
1	..	Capt D Robertson, A. C ..	1	1	..	100	100
.	6	H E M Impey Esq, E A C ..	2	1	..	100	100
12		M Bukhtawur Sing, E A C ..	12	1	13	75	93
2	17	Mr Dinkur Rao, O E A C ..	75	4	11	72	87
12	..	Rajah Janojee, H M ..	15	2	10	41	69
12	..	Rao Sahib Trimbukjee Nana Aheer Rao, H M ..	146	2	9	31	65
12	..	Rajoba Mohitay, H M	100	4	9	30	80
12		Rao Sahib Trimbukjee Nana Aheer Rao, and Rajoba Sahib Mohitya H M s, sitting as a Bench ...	56	3	4	72	70
10	5	Purbut Rao Goojur, H M ...	42	6	88	31	62
12	..	Dadobah Sirkey, H M ...	32	3	13	42	56
12	..	Rajah Suliman Shah, H M ..	81	4	11	5	69
12	.	Madho Rao Gungadhur, H M ...	50	2	11	36	56
12	.	Mookund Balkishen Bootee, H M ...	40	6	12	52	63
6	..	Madho Rao Gungadhur and Mookund Balkhishen Bootee, H M s, sitting as a Bench ...	127	4	11	89	68
12	..	Baljee Sudasheo Bootee, H M .	78	2	8	34	77
4	6	Sheikh Ismail, H M ..	101	1	4	51	85
12	..	Nuwab Hossain Ali Khan, H M ..	233	3	8	42	86
12	..	Ahilojee Aheer Rao, H M ..	79	1	8	33	83
3	17	Kashi Rao Goojur, H M ..	8	1	12	32	64
12	...	Bhannoodass Naidoo, H M ..	395	2	12	31	35
6	27	Bhaskar Rao, T ..	131	1	5	54	85
1	29	Dadajee Jeywunt, T ...	50	2	6	64	65
12	..	Bapajee Balkrishna, T ..	205	1	4	85	97
.	20	Nagho Rao, T ...	14	2	13	61	100
3	1	Yadho Rao Sukharam, T ..	32	1	4	70	92
11	..	Sudasheo Mahiput, T ..	244	1	7	59	96
12	..	Gunput Rao, T	133	1	8	83	91
		CHANDA					
12	..	Major C B L Smith, D C ..	10	5	43	11	12
4	1	J W Tawney, Esq, A C ..	81	4	38	61	52
3	2	L Neill, Esq A C ..	43	2	8	34	92
12	..	S H Hennessy, Esq, E A C ..	324	3	16	74	88
1	27	F H Prior Esq E A C ..	15	1	3	89	94
1	21	Ramdial, E A C ..	15	2	2	77	100
1	5	Bulwunt Rao, T ..	9	2	13	58	35

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Statement No. VIII.—(*Criminal*) *continued.*

Period of employment		Name and designation of Officer.	Criminal.				
			Number of cases disposed of.	Average duration of cases.		Percentage of persons convicted or committed to persons for disposal.	Precentage of Witnesses discharged in one day to total number summoned.
				Police cases.	Other cases.		
Months.	*Days.*	CHANDA (*continued*)					
10	23	Nagho Rao, T. ...	203	3	8	83	96
12	...	Narrain Rao, T. ..	272	2	10	72	97
11	9	Rughoonath Rao Moondhey, T. ..	298	2	13	74	97
12	..	Mr. M. Craggs, J. M. ..	18	..	1	100	..
8	3	Venkut Rao, H. M. ..	5	..	11	100	80
		BHUNDARA.					
1	9	Capt. H. F. Newmarch, D. C. ...	1	1	..	10	100
10	19	H. Read, Esq., O. D. C. ..	1	2	..	4	...
7	...	D. A. Cameron, Esq., E. A. C. ..	2	..	12	5	58
12	..	Mahomed Boodun, E A. C. ..	566	2	12	80	84
8	...	Yadho Rao Panday, H. M. ...	195	1	6	71	91
9	...	Gunput Rao, H. M. ...	27	2	..	100	100
6	2	Yeshwunt Rao, H. M. ..	13	1	5	85	94
12	...	Madho Rao, T. ..	481	1	12	79	99
12	..	Neelkunt Rao, T. ...	121	2	9	80	91
4	15	Balkrishen Martund, T. ..	19	1	5	71	100
3	...	Ragho Lukshmun, T. ..	5	1	3	100	100
		WURDAH.					
12	..	Capt. M. P. Ricketts, D. C. ..	18	6	12	13	90
3	23	W. Wrottesley, Esq., A. C. ...	99	5	12	47	59
4	24	J. W. Tawney, Esq., A. C. .	115	3	7	76	67
2	11	J. F. Muir, Esq., A. C. ...	27	5	18	37	94
...	7	H. E. M. Impey, Esq., E. A. C. ..	8	1	6	50	100
..	19	F. H. Prior, Esq., E. A. C. ..	17	3	9	57	87
11	8	Mr M. B. Tulsingh, E. A. C. ..	31	5	10	37	78
10	..	Dadajee Jeywunt, T. ...	11	1	17	10	78
..	9	Himmut Ali, T. ...	122	2	11	49	89
2	28	Bhasker Rao, T. ..	21	1	4	61	90
1	7	Ram Rao Rajeshwur, T. ..	15	1	4	68	100
12	..	Krishn Rao Rajeshwur, T. ...	155	3	7	59	96
12	...	Chimnajee Deshmookh, H. M. ..	45	3	12	61	94
12	...	Wahid Khan, H. M. ...	66	3	5	62	63
12	...	Soondur Narain, H. M. ..	106	2	8	50	94
		BALAGHAT.					
10	8	Capt. A. Bloomfield, D. C. ..	164	5	18	57	64
1	22	A. M. Russell, Esq., O. D. C. ..	13	9	31	75	69
5	10	F. H. Prior, Esq., E. A. C. ...	297	2	11	86	87
3	5	Mr. Kesho Sheoram, O. E. A. C. .	77	2	11	89	90
9	15	Mr. Kesho Sheoram, T. ..	136	3	9	93	100
9	..	Gunput Rao Khundoo, N. T. ...	47	2	12	81	98
3	..	Gunput Rao Vittul, N. T. ...	40	2	9	95	100
11	...	Gunput Rao, Zemindar, H. M. ..	99	1	4	81	100
		JUBBULPORE.					
3	27	Major E. M. Playfair, D. C. ..	19	10	12	28	60
4	23	Capt. H. C. E. Ward, O. D. C. ..	8	1	4	3	100
4	7	F. Venning, Esq., A. C. .	13	10	10	34	52
4	7	L. Neill, Esq., A. C. ...	158	2	8	53	99

Statement No. VIII.—(*Criminal*) *continued.*

Period of employment		Name and designation of Officer.	Criminal				
			Number of cases disposed of.	Average duration of cases.		Percentage of persons convicted or committed to persons for disposal.	Percentage of Witnesses discharged in one day to total number summoned.
				Police cases.	Other cases.		
Months	*Days.*	JUBBULPORE (*continued*).					
5	29	Lieut. R. M. B. Thomas, A. C. ..	2	1	29	50	100
7	24	G. J. Nicholls, Esq., A. C. ..	181	2	9	64	79
12	...	Rai Sookh Lall Singh, E. A. C. ...	214	2	6	79	88
5	17	Ali Hosein Khan, E. A. C. ...	160	4	12	65	79
12	...	Capt. T. Wakefield, C. M. ..	182	4	15	86	70
6	...	Major D. Ryder, C. M. ...	102	3	16	87	84
6	...	Capt. H. Lugard, C. M. ..	184	3	7	82	93
4	...	Col. R. Ranken, J. M. ..	14	..	1	100	100
12	..	Kazim Ali, T. ...	790	1	8	88	92
2	..	Abdool Huq, T. ..	47	1	3	89	91
11	9	Mirza Ali, T. ...	350	1	8	83	71
6	17	Bunwaree Lall, T. ...	357	1	9	91	89
...	22	Abdool Mujeed, T. ..	9	2	9	83	50
3	17	Nanick Chund, T. ...	83	1	8	81	99
12	...	Bulwunt Rao, H. M. ..	348	1	4	80	87
7	27	Lieut. J. Watts, H. M. ..	100	2	5	44	83
8	26	W. G. Olpherts, Esq., H. M. ...	53	2	2	78	78
11	...	Raja Moheepsing, H. M. ...	46	2	7	63	82
		SAUGOR.					
10	9	Major J. C. Wood, D. C. ..	74	27	43	21	50
1	21	Capt. H. C. E. Ward, O. D. C. ..	4	1	3	..	100
6	22	A. G. W. Harris, Esq., A. C. ...	279	4	16	59	78
1	8	Lt. T. W. Hogg, A. C. ..	26	5	5	35	74
11	...	H. L. Dennys Esq., E. A. C. ..	184	10	21	19	46
12	..	Lieut.-Col., H. T. Bartlett, C. M. ...	570	2	4	72	92
12	..	Syed Ahfad Hossein, E. A. C. ...	127	3	7	52	94
9	...	Dr. W. Williamson, J. M. ..	26	...	1	100	100
12	...	Syud Mudud Emam, T. ..	463	2	7	78	100
12	..	Dabee Pershad, T. ...	303	2	11	87	93
10	..	Mahd. Mehdee Hossein, T. ..	17	2	10	42	100
2	..	P. Bulwunt Rao, T. ..	62	2	7	39	89
12	..	Syed Assud Ali, T. ..	455	1	10	81	91
4	..	F. R. Blewitt, Esq., H. M. ...	45	5	9	37	77
12	...	Rao Zorawur Singh, H. M. ..	169	5	17	59	85
12	..	Rao Krishen Rao, H. M. ..	120	2	11	49	80
12	..	Rao, Bulwunt Singh, H. M. ..	31	..	6	60	89
12	..	Rajah Bulwunt Singh, H. M. ..	2	...	14	100	100
12	..	Mr. C. Kemp, H. M. ...	28	3	23	24	76
12	..	Rajaram, H. M. ...	176	3	7	38	96
12	..	Rao Nana Gunput Rao, H. M. ...	193	2	9	51	100
		DUMOH.					
...	24	H. M. Read, Esq., D. C. ...	1	...	38	6	100
5	22	Capt G. A. A. Warner, O. D. C. ..	12	11	17	6	64
3	15	Capt. C. H. Plowden, O. D. C. ..	10	2	7	3	80
..	17	Capt. C H. Grace, D. C. ...	3	1	6	21	100
12	..	M. Oulad Hossein, A. C. ..	229	1	9	56	90
12	...	Tukhut Singh, T. ...	338	1	9	85	84
12	...	Ameer Khan, T. ...	391	1	7	87	98
12	...	Mr. T. King, J. M. ..	9	...	1	100	100
12	...	Thakoor Sheolall, H. M. ...	129	2	7	65	95
12	..	Pundit Nagojee Bulhar, H. M. ..	52	1	5	74	100

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Statement No. VIII—(*Criminal*) *continued*

Period of employment		Name and designation of Officer		Criminal				
				Number of cases disposed of	Average duration of cases		Percentage of persons convicted or committed to persons for disposal	Percentage of witnesses discharged in one day to total number summoned
					Police cases	Other cases		
Months	*Days*							
		SEONEE						
2	23	Col. J B Dennys, D C.	..	11	6	19	15	69
8	22	Capt S Brooke, O D C		13	4	6	6	18
...	16	Capt H Lugard, O D C	..	1	7	..	8	100
4	14	Lt R M B Thomas, A C	..	62	1	9	88	89
6	9	M Ali Hosein Khan, E. A. C	..	162	2	13	80	83
4	12	Abdool Ruheem, E A C.	..	16	4	25	76	60
7	16	H. E M Impey, Esq., E A C.	..	2	1	..	100	100
12	...	Dr J F Barter, J M.	..	25	.	1	100	..
11	..	Abdool Mujeed, T.	..	243	2	15	74	72
7	24	Shunker Lall, T.	...	168	1	15	81	94
12	...	Mahd Abdoolah, T.	..	149	5	24	63	97
12	...	Mahomed Emamkhan, H M	..	193	1	6	65	100
12	...	Mahomed Ahmudkhan, H. M		252	...	6	70	100
		MUNDLA.						
3	27	Capt H. C. E. Ward, O D. C.	..	16	2	10	39	95
6	15	Capt C H Grace, D C.	..	91	1	7	43	63
1	5	Major J C. Wood, D C.	..	2	1	20	8	100
10	15	Mr N K Bose, E. A. C.	...	165	2	10	60	65
..	13	Noor Mohmed, T	—	8	5	..	80	5
11	17	Kubeer-ud-deen Hossein, T.	..	17	1	7	71	87
2	20	Moozuffer Ali, T.	...	11	3	2	69	77
4	17	Muksood-ool-Hossein, T.	..	30	1	6	85	89
12	..	Dr. H A. Kidd, J M	..	7	..	1	75	100
12	...	Dr H A Kidd, H M	..	17	2	5	77	39
6	16	Babajee Ojha, H. M.	..	8	..	9	33	100
		HOSHUNGABAD						
...	8	Col W H Crichton, D C.	..	1	1	..	100	.
1	19	J W Chisholm, Esq, O D. C.	..	2	7	1	75	100
5	24	Col J B Dennys, D C.	..	5	1	1	33	100
6	7	Capt C H Plowden, A C.	...	53	4	7	62	63
10	3	J H MacGeorge, Esq, A C.	..	46	3	12	53	85
9	5	Capt T W Hogg, A. C.	..	354	4	11	61	61
12	..	M Sheopershad, E A. C.	..	114	7	12	62	74
12	...	M Leeladhur, E A C.	..	189	5	9	63	69
12	..	Dr P Cullen, J M	.	7	..	1	100	100
12	.	Pundit Ram Dyal, T	..	108	5	14	38	95
12	..	Adjoodhea Pershad, T.	.	167	3	11	57	93
12	...	Mahd Ally, T	..	78	2	12	76	93
12	..	Venaik Rao, H M	..	189	4	6	41	87
12	..	Toolseeram, H M	.	90	4	7	54	100
12	...	Meer Roshun Ali, H M	..	60	2	6	81	76
12	..	Rajah Chuttursha H M	..	34	5	9	79	100
12	...	Rajah Duryasingh, H M	..	20	.	7	45	61
12	...	Rajah Kishore Singh, H M	..	30	..	7	40	57
12	..	Nund Ram, H M	..	28	.	6	56	100
12	...	Chowdry Pragchund, H M	..	48	.	6	30	100
12	...	Oomrao Singh Burkoor, H M	..	27	..	8	55	100
12	..	Kaloo Ram, Mundloey, H M.	...	52	..	7	51	100
12	..	Chowdry Jugut Singh, H M.	..	33	..	4	57	51
12	...	Chowdry Dulputsingh, H M	..	34		3	46	100

Statement No. XIII —(*Criminal*) *continued.*

Period of employment.		Name and designation of Officer.	Criminal.				
			Number of cases disposed of.	Average duration of cases.		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases.	Other cases.		
Months.	*Days.*	BAITOOL.					
3	23	Capt. J. Ducat, O. D. C. ...	38	3	18	28	76
8	7	Major J. Ashburner, D. C ...	22	2	10	9	90
12	..	Gopal Rao, E. A. C. ..	111	7	12	54	75
12	..	Rainchurn Lall, T. ..	440	4	14	59	92
8	...	Ghulam Mahd. Khan, T. ..	213	2	10	64	87
3	10	Kally Churn, T. ..	45	1	10	75	92
12	..	Mr. A. G. Price, J. M. ..	7	..	1	100	...
12	...	Khwajah Villayet Hossein H. M. ..	34	1	12	72	100
12	..	Tejee Singh, H. M. ..	50	..	14	37	100
		NURSINGPORE.					
9	4	Capt. J L. Loch, O. D. C. ...	44	6	9	18	44
1	6	Capt. H. L. Lugard, O. D. C. ..	7	2	10	16	77
12	..	F. E. Ellison, Esq., A. C. ...	85	6	10	62	55
12	..	F. St. C. Williams, Esq., E. A. C. ..	396	3	8	71	96
3	..	F. H. Prior, Esq., E A. C. ..	56	4	9	56	96
5	...	Baboo Nobin Chunder Banerjee, E. A. C.	50	2	11	45	93
4	18	Dr. O. C. Raye, J M. ...	6	..	1	100	..
7	12	Dr. J. S. Ratton, J. M. ...	8	...	1	100	...
8	6	Kally Churn, T. ..	198	4	17	68	79
3	24	Venket Rao, T. ...	34	3	13	73	53
4	24	Nihal Chund, T. ..	47	3	15	55	85
5	20	Sheolall Doobey, T. ...	24	3	11	54	56
12	..	Kishoreelall, T. ..	88	5	13	56	99
12	...	Rajah Soorut Singh, H. M. ...	56	2	17	73	97
12	..	Rajah Futteh Singh, H. M. ...	61	1	11	55	100
12	..	Rajah Nizam Singh, H. M. ...	22	1	5	100	64
5	...	Rao Soorut Singh, H. M. ..	53	2	11	72	100
12	..	Chowdry Benee Singh, H. M. ...	73	2	8	53	100
12	...	Thakoor Bhopal Singh, H. M. ...	209	2	10	72	92
12	...	Lalla Prem Narrain, H. M. ..	281	2	14	51	99
		NIMAR.					
3	15	Capt. C. H. Grace, D. C. ...	33	2	8	52	91
8	15	Capt. J. Forsyth, O. D. C. ..	54	1	12	11	84
12	..	Capt. T. A. Scott, A. C. ..	143	3	18	41	66
12	...	A. B. Ross, Esq., A. C. ..	87	22	5	63	60
12	...	Capt. H. Ross, A. C. M. ...	174	1	7	73	99
11	..	Mahomed Zein-ool-Abdeenkhan, E. A. C.	2	...	25	1	100
...	4	J. Lloyd, Esq., E. A. C. ..	5	1	..	71	100
11	..	Madho Rao, T. ...	273	2	9	51	97
12	..	Govind Rao Bhao, T. ..	90	1	11	66	99
5	20	Sheolall Doobey, T. ...	25	2	10	58	78
6	...	Bulwunt Rao, T. ...	42	3	13	29	51
12	...	Kazee Azeez-ool Rehman, H. M. ...	90	1	8	54	46
10	..	Hurrychurn Mundloey, H. M. ..	235	2	7	48	88
12	..	Abdool Gunnee, H. M. ..	90	1	2	66	81
12	..	Rao Sirdar Singh, H. M. ...	9	1	6	90	90
12	..	Rao Dowlut Singh, H. M. ..	16	...	9	57	98
..	8	Rana Nahur Singh, H. M. ..	4	..	3	90	100
4	9	Govind Rao, Bhooskuttey, H. M. ...	21	1	5	68	75
		CHINDWARA.					
3	...	Major J. Ashburner, D. C. ..	7	3	23	19	25
3	28	Capt. R. M. B. Thomas, O. D. C. ...	7	3	1	81	67
8	..	Major E. M. Playfair, O. D. C. ..	143	2	8	68	61

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Statement o. XIII.—(Criminal) contin ued.

Period of employment.		Name and designation of Officer.	Criminal.				
			Number of cases disposed of.	Average duration of cases		Percentage of persons convicted or committed to persons for disposal.	Percentage of Witnesses discharged in one day to total number summoned.
				Police cases.	Other cases.		
Months.	*Days.*	CHINDWARA (*continued*).					
1	25	Capt. H. L. Lugard, O. D. C. ...	29	2	8	66	90
12	...	L. F. B. Morris, A. C. ..	9	1	5	46	85
12	..	Meer Sooltan Ali, E. A. C. ..	113	2	14	48	79
8	8	J. Lloyd, Esq., E. A. C. .	55	4	15	64	24
12	..	Dr. W. R. Grylls and Mr A. G. Price, J. M.	8	...	1	100	..
6	15	Venket Rao, T. ..	75	1	9	56	95
12	..	Imrit Rao, T. ..	259	2	9	64	81
4	..	Gholam Mahd. Khan, T. ..	55	1	8	80	97
12	..	Pokhur Dass, H. M. ...	101	1	4	96	98
12	...	Gunput Rao, H. M. ..	35	1	4	65	83
		RAEPORE.					
4	18	Capt. E. H. Twyford, D. C. ..	4	2	...	7	100
7	10	J. W. Chisholm, Esq., O. D. C. ..	7	4	3	9	61
...	26	Lieut. J. W. Macdougall, A. C. ..	1	...	2	100	100
3	22	Baboo Boressur Dutt, E. A. C. ..	240	1	8	83	94
6	24	Fuzl-ool-Kadir, E. A. C. .	657	1	6	88	97
3	23	Ashfaq Hossein, E. A. C. ...	195	1	9	89	97
..	21	D. Sinclair, Esq., E. A. C. ...	55	1	14	88	98
4	4	T. Crawley, Esq., E. A. C. ...	76	1	3	95	84
12	..	Dr. D. W. Trimnell, J. M. ..	10	.	1	100	..
..	18	Yacoob Ali, T. .	31	1	9	92	74
11	4	Mahfooz-ul-baree, T. ..	229	1	5	90	99
12	..	Mahmood-ul-Hossain, T. ..	259	2	9	82	93
12	..	Ajoodhia Pershad, T. ...	9	2	1	83	100
11	8	Heeralall, T. ..	135	1	8	75	98
6	..	Mahadeo Duwan, H. M. ..	74	...	8	57	100
		SUMBULPORE.					
8	16	Major A. B. Cumberlege, D. C. ..	60	1	2	30	83
1	...	Lieut. M. M. Bowie, O. D. C. ..	37	1	3	61	87
7	..	Lieut. M. M. Bowie, A. C. ..	266	2	5	80	94
2	25	Lieut. W. L. Noverre, A. C. ..	66	3	3	74	87
12	..	Mr. J. E. Harrison, J. M. ...	34	...	1	100	...
12	..	Balmookund Putnaik, T. ...	365	1	9	95	81
12	...	Sutya Badee Parhee, T. ...	137	1	7	73	96
		BELASPORE.					
4	18	Capt. W. B. Thomson, D. C. ..	26	7	15	41	93
7	12	Capt. J. Ducat, O. D. C. ..	18	2	11	6	74
7	13	Lieut. W. L. Noverre, A. C. ..	62	3	8	75	61
11	...	Baboo Sreenath Bose, E. A. C. ...	430	2	9	80	70
7	18	Goor Pershad, E. A. C. ...	124	3	13	82	53
5	10	Ibnool Hossein T. ..	10	7	7	51	48
2	11	Sheodial Singh, T. ..	22	2	1	56	92
12	...	Abdool Soobhan, T. ..	167	3	12	76	91
12	..	Krishen Rao, T. ...	183	4	22	68	64
4	4	Ibnool Hossein, T. ..	107	1	8	85	79
12	...	Luchmeedass, H. M. ..	34	1	5	88	93
12	..	Bhoop Singh, H. M. ...	10	..	3	100	100
12	..	Rughonath Singh, H. M. ..	10	...	1	100	100
12	...	Biswanath Singh, H. M. ...	7	..	7	100	100
12	...	Doorga Dutt Shastree, H. M. ...	14	...	8	60	89
		UPPER GODAVERY					
11	21	J. F. Beddy, Esq., O. D. C. ...	64	2	6	63	86
12	..	J. B. Gaffney, Esq., Asst. to D. C. ..	76	1	3	76	92
12	..	J. Hornby, Esq., E. A. C. ..	116	2	10	55	86

REPORT

ON THE

Judicial Administration
(Criminal)

OF THE

CENTRAL PROVINCES

FOR

THE YEAR 1870.

NAGPUR:

PRINTED AT THE CHIEF COMMISSIONER'S OFFICE PRESS.

1871.

No. 1350
109

From

THE SECY. TO THE CHIEF COMMISSIONER,

Central Provinces,

To

THE REGISTRAR, JUDICIAL COMMR'S. COURT,

Central Provinces.

Dated Nágpúr, the 30th June 1871.

SIR,

I am directed to acknowledge the receipt of the Judicial Commissioner's Report on the administration of Criminal Justice during the past year.

2. The first part of the report treats of the amount of crime reported during 1870, and it is extremely satisfactory to find that there has been so large a decrease as to bring down the number of offences to the level of the year 1868.

This amply demonstrates that the enormous increase in the amount of crime in 1869 was attributable solely to the famine which extended all over the country. The class of offences in which the increase was then greatest shows the greatest decrease; the districts in which the famine was severest show this year the greatest diminution in crime.

In the districts of Hoshangabad and Wardha only does it seem as if crime had become more prevalent than in 1868.

The Officiating Chief Commissioner will reserve for his review of the Police Report any special remarks on crime in general, or any special class of crime in this or that district.

3. Colonel Keatinge quite agrees with the Judicial Commissioner that it is very desirable that the number of Honorary Magistrates should in many districts be increased. These gentlemen have again this year taken a very large share in the Criminal work. Of the offenders who appeared before Magistrates, 28 per cent were brought before them. Their services have thus been eminently useful, and testimony is borne to the correctness of their procedure and to their popularity in many districts.

If the number of Criminal Courts is to be increased it must be by the creation of new Honorary Magistrates, and the Officiating Chief Commissioner has more than once expressed his wish to receive recommendations for the office from District Officers, but the combination of qualities requisite for the position does not appear to be found in so many individuals as the Officiating Chief Commissioner had hoped, and unfortunately the wildest and most backward districts, which naturally are in need of more Magistrates, are also those in which fewer individuals qualified for being invested with Magisterial powers to be exercised under our laws are likely to be found.

In para. 41 the Judicial Commissioner expresses his opinion that it is "very desirable that these Magistrates (Honorary Magistrates) should not be encumbered with more cases than they are willing to undertake," and that they should be empowered to take up, without reference to the Deputy Commissioner, any complaint made before them which it is within their competence to decide. In these views the Officiating Chief Commissioner fully concurs. He would not wish to see more work thrown on an Honorary Magistrate than such Magistrate would willingly undertake, and Honorary Magistrates should not have any reason for thinking that their services are valued in proportion to the number of the cases they get through. Colonel Keatinge hopes that during the current year the arrangements for appointing Moharrirs to the Courts of Honorary Magistrates will be perfected. He attaches much importance to the point, and believes that the appointment of Moharrirs will be conducive not only to the efficiency of the Courts, but also to the popularity of the office, and that thereby it may be that men of character and ability who have hitherto refrained from accepting office, owing to the inconvenience which may have resulted from the absence of a clerk, will be induced to come forward and take their share in the administration of the district in which they live.

4. In para. 37 the Judicial Commissioner refers to the absence of proper lock-ups throughout the Central Provinces. This is a real want, to remedy which efforts are being made. The subject had attracted Colonel Keatinge's attention before the receipt of the present report, and in one or two districts arrangements are being made for more suitable places of confinement for prisoners under trial. It must be borne in mind, however, that the public buildings in the Central Provinces, except where they have been recently built, are generally inadequate to the purpose for which they were intended, and it is impossible to provide at once all manner of new buildings. Very much has been done of late years; but in a matter of this kind the Central Provinces cannot be expected to have reached the standard of older and wealthier Provinces.

5. The Officiating Chief Commissioner has only a few remarks to make concerning the action of the Courts in the case of particular offences.

6. In para. 49 some remarks of the Deputy Commissioner of Chanda are quoted, regarding the "giving of false information concerning an offence." The Officiating Chief Commissioner concurs with the Judicial Commissioner in thinking that in only exceptional cases prosecutions for giving false evidence to the Police should be allowed. The danger of these prosecutions outweighs any advantages that could be derived therefrom.

7. It is satisfactory to find that the cases have increased in number in which compensation has been awarded to accused persons against whom frivolous and vexatious complaints were made.

8. In para. 54 the number of persons prosecuted for offences shown as No. 140, of B2, Municipalities and Cantonments, is shown. These prosecutions are said to be not for nuisances which were included under No. 53. But if the prosecutions are not for nuisances under Municipal Bye-laws or Cantonment Rules, they seem rather numerous, and the remarks of the Deputy Commissioner of Jabalpur quoted in explanation lose their pertinency.

9. It has been brought to the Officiating Chief Commissioner's notice that the Police have not always acted with sufficient regard to the wishes and convenience of the Railway authorities in the matter of prosecutions under the Railway Act. Orders will shortly issue, which will, it is believed, settle this question in a satisfactory manner.

10. The manner in which offenders were punished is as follows:—

6,104 persons, or 24 per cent of offenders convicted, were sent to prison; 17,133 were fined, of whom 15,610 were fined as the only punishment; and 3,924 persons were sentenced to whipping. The sentences of imprisonment were mostly for short periods, and in awarding this punishment, the Courts certainly do not seem to err on the side of severity. Considering the large number of persons who were sentenced to fine only, it might almost seem as if the sentences of imprisonment were absolutely light.

The average incidence of fine was very nearly Rs. 7. This may as a general average seem somewhat high, but if it is remembered that more than 12,000 persons were fined less than Rs. 5, and that some heavy fines were imposed during the year, the actual average, so far as it applied to the ordinary petty offender, would be considerably lower than Rs. 7. Colonel Keatinge therefore thinks the Courts have shown judgment in awarding pecuniary punishments.

As long as whipping remains an efficacious punishment, and this the Officiating Chief Commissioner believes it to be, Magistrates do well to employ it.

11. It is satisfactory to find that witnesses in Criminal cases are not detained longer than is absolutely necessary.

The Judicial Commissioner has doubtless sufficiently noticed the case of detention of witnesses in Ráípúr.

12. The number of appeals preferred from the orders of Magistrates is comparatively small. The Officiating Chief Commissioner notices that the results of appeals are not so favourable as in the Punjab, but when the numbers are so small a very trifling difference in the actual number of convictions upheld or reversed makes a large difference in the percentage of such cases. Unless the Judicial Commissioner should express himself dissatisfied with the quality of the Magistrates' decisions generally, the Officiating Chief Commissioner would not form an unfavourable opinion merely from the results of the few appeals preferred.

13. Criminal cases, whether sent up by the Police or instituted directly before Magistrates, have generally been decided with commendable expedition.

14. On the whole, Colonel Keatinge considers the administration of Criminal Justice of the Central Provinces to have been very satisfactory during the past year, and he would congratulate the Officiating Judicial Commissioner and his predecessors in office on the success which has attended their careful superintendence of the Criminal Courts, as recorded in the clear and comprehensive report which has been submitted.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. NEILL,

Offg. Secretary.

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No. 505.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nágpúr, the 1st May 1871

SIR,

I am directed to forward the report by the Officiating Judicial Commissioner on the Criminal administration of the Central Provinces for 1870. The prescribed returns and the Divisional and District reports accompany.

Form of Imperial Statements.

2. The Imperial Statements could not all be prepared in the new forms lately prescribed by the Government of India, these forms having only been received in this office towards the end of November last. Statements B. 2 and B. 4 are according to the revised forms, and the others according to the old forms.

Order of subjects.

3. The same order of subjects will be observed as in the report for 1869.

General decrease in crime.

4. There has been a very large decrease in crime,—32,582 offences having been reported in 1870 to 45,904 reported in 1869. The decrease in 1870 amounts to 29 per cent, and the actual decrease amounts to 13,315 offences.

Variations in crime under the different classes.

5. The variation in the amount of crime in the different classes is thus discriminated. In offences against the State, the Public, and Justice (Class I.) there is a decrease of 486 cases, or 16 per cent; in offences against the person (Class II) there is a decrease of 154 cases, or 2 per cent; in offences against property (Class III) there is a decrease of 13,146 cases, or 42 per cent; in offences under the Indian Penal and Criminal Procedure Codes "not included in the above classes" (Class IV.) there is a decrease of 349 cases, or 72 per cent; and in offences against special Laws (Class V.) there is an increase of 813 cases, or 32 per cent.

The chief decrease is in offences against property.

6. Putting aside the offences under Class IV, *viz*, those "not included in the above classes," which are numerically small, the real and important decrease is to be found in Class III., "offences against property." Dacoities stand at the same figure as in 1869; in robberies of the different kinds there is no remarkable fluctuation; but in house-breaking for the purpose of theft there is a decrease of 6,150 cases, or 51 per cent on the figures for 1869; cattle thefts have fallen from 1,663 to 1,299 cases, or 22 per cent; and ordinary thefts have declined from 15,123 in 1869 to 8,728 in 1870, being a decrease of 6,395 cases, equivalent to 42 per cent.

Decrease owing to the return of good seasons.

7. The prominent feature in the statistics for the year is, then, the decrease in offences against property; and regarding the cause of this decrease there is complete accord amongst all the officers whose duty it has been to report on the state of crime. It is well known

that in 1869 the country was suffering from the ravages of famine. The ordinary condition of the people was reversed, there was a great dearth of food, work was difficult to obtain, and some districts were overrun by refugees from other places more bare of the means of subsistence. The kharif harvest of 1869 was fairly plenteous, and immediately the pressure of hunger began to abate The harvests of 1870 were fairly good, and the pressure ceased. Thus the greater part of 1869 was a time of abnormal distress, and in 1870 the prices of food reverted to something approaching the ordinary level of late years, and with the disappearance of distress for food the returns of crime fell. In accordance with the experience of other Provinces in India, the market rate of food grains has proved to be a fair index to the fluctuations of crime against property.

Comparison of statistics of 1868 and 1870.

8. It is necessary, however, that a comparison should be made between the figures of 1868 and 1870, to see whether the crime has fallen to what may be regarded as its usual standard.

Total offences in 1868 and 1870.

9. The total number of offences reported in 1868 was 35,768, or 3,186 in excess of the number for 1870. The figures for the two years in the different classes are as follows :—

Class.	Description of offences.	1868.	1870.
I.	Against the State, the Public, and Justice..	2,939	2,472
II.	Against the person	9,277	8,164
III.	Against property	19,402	18,504
IV.	Not included in the above classes ...	646	135
V.	Against special laws	3,504	3,307
	Total..	35,768	32,582

Details of crime in 1868 and 1870.

10. On comparing the detailed figures for the two years a great similarity will be found between them, there being a general tendency to decrease in 1870. The greatest differences are noted below:—

Description of offences.	1868.	1870.	Increase in 1870.	Decrease in 1870.
Nuisances under Police, Municipal, or Local Acts ...	1,051	690	..	361
Affray	195	119	...	76
Murder of all kinds .	85	97	12	.
Attempt to commit suicide ..	160	111	...	49
Hurt	803	439	..	364
Defamation	336	222	..	114
Dacoity	30	13	...	17
House-breaking to commit theft . ..	6,846	5,862	..	984
Lurking house-trespass ..	102	106	4	.
Theft of cattle	1,070	1,299	229	...
Mischief, ordinary ..	361	263	..	98
Breaking closed receptacle ..	34	95	61	..
Vagrancy	227	55	..	172
Against Excise laws (spirits and drugs)	677	512	..	165
Against Municipal law .	777	982	205	..
Against Railway law .	71	122	61	...
Against Income Tax law ...	112	526	414	.

In addition to the above, it is to be remarked that ordinary thefts in 1868 were 8,777, and in 1870, 8,728.

In the returns for 1868 there are 284 cases of neglect to maintain wives and children, and in the returns for 1869 there were 270 such cases; whereas in the return B.2 there are no corresponding figures for 1870,—cases of this kind having been excluded from the category of offences, and shown only in the Local Statements

Result of the comparison between 1868 and 1870.

11. The comparison between the two years 1868 and 1870 leads to the conclusion that crime has reverted pretty much to its old standard; and it is a cause for congratulation that the persons who in 1869 were driven by hunger to commit petty crime have returned to their honest pursuits.

Crime in the different districts during 1870.

12. Reference will now be made to those districts in which there has been any notable increase or decrease of crime, and the remarks of the Commissioners and Deputy Commissioners will be extracted as far as possible.

The Nagpur Division.

13. On the state of crime in the Nágpúr Division, the Commissioner says:—

"Cognizable offences have decreased in every district except Wardha. The decrease is largest in Bhandara and Balaghat, where the famine of 1869 was sharpest, and where petty offences against property were especially rife during the famine year. In Wardha the apparent increase is due to the fact that crimes were not properly reported during 1869, and any comparison between the crime statistics of the two years for that district cannot be useful. At the same time it may be well to note that the total of cognizable crime (747 cases) and of thefts (347 cases) is by no means large for a wealthy district like Wardha, through which the railway runs, and in which there is always a considerable floating population passing to and from the cotton fields of Berar and the Wardha valley. The total of heinous crimes is somewhat higher than it was last year. There has been a considerable increase in the number of murders shown in the Wardha district. The narrative offered in the Wardha Police report shows that one of the reported cases, the murder of Brinjaras near Mandgaon, may perhaps have been a fiction, as no trace of the supposed murder was found, and it did not even seem certain that any Brinjaras were really missing. Most of the murder cases came before my Court, and none of them seemed to be of a kind which Police exertion could prevent. There was considerable success in the prosecution of murderers, and in only one (a Balaghat) case did it appear certain that the Police had not done their duty.

"Out of the 16 dacoities and robberies, only two (one at Bhandak in the Chanda district, and another at Kolona in the Wardha district) were serious crimes, or in any way belonged to the regular Indian type of gang robbery. In regard to thefts and kindred offences, the most noticeable points in the Criminal statistics of the Division are the very great decrease in petty offences in Bhandara, Balaghat, and Chanda, and the increase in reported crime at Wardha. The latter feature in the returns is, as I mentioned above, mainly due to the incorrectness of the Criminal statistics for 1869. The difference between the number of petty crimes against property in Bhandara, Balaghat, and Chanda during the last two years is due, in great part, to the dearness and scarcity of food in 1869, and to the comparative* cheapness and plenty of 1870. The Deputy Commissioner of Bhandara has pointed out that a considerable emigration to Berar has occurred among the castes from which thieves are recruited. And the Bhandara Police officer further adds that the emigration and good harvests have made work much more plentiful, and wages very much higher than they were in 1869. These causes have been

* The price of rice (third sort) in the two years may be thus compared:—

Seers of rice per Rupee.

	April		July		September	
	1869.	1870.	1869.	1870.	1869.	1870.
Bhandara ..	10½	1[illegible]	9	17	7½	18
Chanda ...	6-12	10.	6	11	7½	13
Balaghat ..	9	2[illegible]	8	20	12	25

On an average, food in those districts was throughout twice as dear in 1869 as in 1870.

at work in all three districts, but the emigration has been largest from Bhandara. There are some features in the Police returns and registers of all these districts which make it more easy to believe that this great decrease in reported crime is *bonâ fide*, such as the frequent entry in Police diaries of extremely petty grain thefts, wherein the value of the stolen property is two or three annas, or even less than one anna. The apparent readiness with which the people seek aid, even in the most trivial cases, the circumstance that though the number of thefts has so enormously decreased, still the value of stolen property (and presumably the heavier thefts committed by *habitués*) has not decreased in the same proportion, all these considerations do go far to warrant our accepting these reported returns of crime. But at the same time it must be noted that the number of reported offences in Bhandara has fallen very much below the average* of previous good agricultural years. In former years the number of reported offences was particularly high in Bhandara, as compared with other districts, and I shall not be surprised if, after the great fluctuation in the reported thefts of Bhandara, the statistics of 1871 come out somewhat less favourably than those for 1870.

* Number of reported thefts of all kinds in Bhandara—

During 1864,	3,009.	
1865,	2,933,	moderate harvest.
1866,	2,298,	do.
1867,	1,281,	good harvest.
1868,	1,654,	half bad, half good.
1869,	2,935,	famine.
1870,	749,	plenty.

"No remark seems called for on the statistics of 'petty nuisances' or 'breach of special laws.'

"There has been a considerable decrease in non-cognizable offences in Nagpur, Chanda, and Balaghat, while there is an increase in Bhandara and Wardha. The decrease is mainly under the head of 'petty assaults' in Nagpur; in Chanda under the head of 'breaches of Salt and Jail laws.' No particulars are given regarding the increase in non-cognizable offences in Bhandara; the District Criminal returns for 1869 are not in my office, but I gather from the figures cited in my last year's report that the increase is mainly under the heads of 'assault' and 'petty abuse,' Section 504. Perhaps the Deputy Commissioner's suggestion may be correct, and the increase in non-cognizable cases in Wardha may be due to the people having previously lost, and having now regained, confidence in Magisterial action. If the heads of crime in which increase is chiefly apparent had been shown it would have been easier to test the correctness of this conjecture. If this reason for the increase be the true one, then the converse argument would be in favour of the fidelity of the Bhandara theft returns; for in that district non-cognizable cases have increased 22 per cent, while reported non-cognizable cases have decreased 220 per cent."

With regard to the Balaghat district, the returns of which were not before the Commissioner when he wrote his report, a remarkable decrease in the total number of offences is observable both in 1869 and 1868. There is a decrease of 59 per cent over 1869, and of 24 per cent over 1868. The reduction of crime against property is still more remarkable, there having been only 109 cases in 1870, to 565 in 1869, or 80 per cent less. There have, however, been several (22) cases relating to marriage, whereas there was only one case in the preceding year. The Deputy Commissioner accounts for this by saying that—

"In the times of famine of 1868 and 1869 husbands and wives became separated. Husbands left their homes to work for their living, and in their absence their wives took shelter under any roof where plenty was to be found; when the times of scarcity passed away, husbands began to search for their missing wives, and the result has been the largely increased number of offences."

Suppression of reported offences in the Wardha district.

14. Allusion has been made in the above extract to the suppression of reports of crime by the Police in the Wardha district. It is sufficient here to explain that it was discovered early in 1870, that crime had been systematically kept off the register of reported offences in that district on the plea that no offences had been committed; but enquiry has sufficiently shown that the same practice has not obtained elsewhere, and that the returns of offences committed are reliable. The figures for the Wardha district during 1870 are also believed to be correct.

15. The Commissioner of the Jabalpur Division has not remarked on the variations of crime. The greatest diminution in crime is in the Damoh district, where the number of cases has fallen from 2,966 to 1,157, equal to 63 per cent With the exception of two murders, there has been a marked absence of heinous crime in this district.

The Jabalpur Division.

Damoh.

The following extract from the Deputy Commissioner's report shows the state of crime in the Jabalpur district:—

"The year has been one of considerable agricultural prosperity, if not plenty. A bumper kharif harvest and a fairly average rabi brought back those whom distress had prompted to crime to their usual lives of honest industry, and that such was the case will be seen from the following comparative Criminal Statement for four years. The aggregate number of offences in 1870 corresponds closely with the figures of 1867, which was an ordinary year, and therefore reliable for purposes of comparison:—

Year.	Offences cognizable by the Police.		Offences not cognizable.		Total.
	Not bailable.	Bailable.	Not bailable.	Bailable.	
1867.	1,368	724	28	950	3,070
1868.	1,964	578	17	1,637	4,196
1869.	3,106	402	16	1,100	4,624
1870.	1,464	563	6	1,022	3,043

"The number of not bailable cognizable offences fell from 3,106 in 1869 to 1,464 in 1870, *i. e.*, to less than half, and a decrease is observable under almost all the side headings of Statement No. I., Division A. The only noteworthy exception is the two cases of dacoity which took place during the year under report, there having been only one case in the previous year. Neither, however, of the cases which occurred were of an aggravated character.

"The principal falling off was under the following offences:—

		1869.	1870.
32.	House-breaking or house-trespass in order to commit theft	1,570	560
36.	Theft of cattle	302	134
37.	Theft ordinary	1,033	636
38.	Dishonestly receiving stolen property	86	70
42*d*.	Lurking house-trespass or house-breaking by night ...	18	7
		3,009	1,407

"The decrease in the heinous offences is no less satisfactory. There were eight cases of murder for the sake of robbery in 1869, but none in 1870. There were only four cases of murder 'from other motives' this year, against nine cases in 1869 'Attempt to murder' dropped from four cases to two, and 'culpable homicide' from four cases to one. There was only one case of 'kidnapping', against five in the previous year, and none of 'highway robbery,' while during 1869 there were six cases. Of course the year 1869 was an abnormal one.

"The result of comparison between the statistics of heinous offences of the years 1867 and 1870 is not unfavourable to the latter, except, indeed, as regards the offence of grievous hurt, which was unusually prevalent in 1867. There is a remarkable correspondence between the two years, as shown by the following figures:—

	1867.	1870.
Murder	6	6
Attempt at murder	0	2
Culpable homicide	2	1
Grievous hurt	26	12
Dacoity	0	2
Robbery	6	2

"Again, as regards ordinary offences against property, there were fewer in 1867 by only about 65 cases, so that on the whole it may be said that crime in this district has returned to its old level."

Seoni.

In the Seoni district the decrease in crime amounts to only 20 per cent on the previous year, or less than the provincial average of 29. The figures for 1870 are still higher than those for 1868. There were five murders committed, to three in the preceding year, none of them presenting any features to call for remark. Under the headings of Excise, Forest, and Income Tax Laws there was an increase of cases.

Sagar.

Although in the Sagar district there has been a heavy fall in the aggregate of crime amounting to 36 per. cent on that of 1869, and the crime of 1870 is less than that of 1868, with the exception of cattle thefts, there has been a large accession to the number of murders,—there having been 14, to 6 in 1869.

The Deputy Commissioner writes that—

"Early in the year there were a considerable number of wanderers still in the district who had no ostensible means of livelihood; as most of these were anxious to get towards their homes, they received a small amount of relief and were helped on their way; so that in their removal we got rid of many of those who had done much towards swelling the returns of crime during 1869. Thus, as far as crimes against property were concerned, there has been a satisfactory decrease. On the other hand, in crimes against the person there has been a large increase, murders having risen from 6 in 1869 to 14 in 1870; of these, 5 were by robbers and 9 for other motives, besides which there were 2 cases of rape. During the year under report it is difficult to assign any sound reason for the increase in murders by robbers. The year has been of marked prosperity, harvests have been good, prices fairly low, and work everywhere abundant for those who wanted it; so that there have been none of what may be called the ordinary inducements to crime of this description.

"For the murders on account of jealousy or other causes it is needless attempting to assign any reason; they cannot be anticipated, so that preventive measures are impossible, all that the Police can do is to arrest the offenders after the act; as it is, there have been more murders during 1870 than there have been for the last five years, during which the number varied from 5 to 7."

Mandla.

The Deputy Commissioner of Mandla partially attributes the great decrease of crime in that district, amounting to 24 per cent on the returns for 1869, to the careful supervision of suspicious characters.

The Narbada Division.

16. The following extracts from the Commissioner's report give an account of the Narbada Division:—

"It was to be expected that crime generally would decrease with the return of the more favourable seasons of 1870, and especially decrease was to be expected under the heading 'cognizable' offences, and again, especially in 'thefts' and 'house-breaking with intent to commit theft,' under that heading; accordingly, the decreases shown under each of these classes, respectively, in the districts of Narsinghpur, Chhindwara, and Betul need no comment. The decrease in theft and cognate offences is greatest in Betul, where the increase was greatest during the abnormal season of the year before; but it is satisfactorily considerable too, in the other two districts. Again, as to Nimar, although the whole number of offences under the 'cognizable' heading has not declined, yet here too there is sensible diminution in thefts and cognate offences In Hoshangabad alone is there an increase in these and in the total 'cognizable' offences. It will be remembered that last year Hoshangabad and Wardha were the only two districts in the Provinces where there was not *an increase* in 'cognizable' crime. The Deputy Commissioner of Hoshangabad should, I think, have tried in his report to account for the increase this year of 190 cases in theft

and house-breaking, but he has not done so; he merely says—'it appears I was premature last year in congratulating myself on a decrease in serious crime.'

"I am not able myself to account for this increase in Hoshangabad. I propose to suggest some enquiry into the matter after I see the Hoshangabad Police report, which has not yet reached me. There is nothing particular to be said on the subject of heinous offences, except in regard to 'murders' in the Hoshangabad district; they remain at a very low figure. Robberies are few, and dacoity continues to be almost unknown, except in Nimar, where we have four cases (none of them the work of professionals apparently), to only one in the year before.

"As to the Divisional decrease in '*non*-cognizable' crime, this will be found due in the most part to the districts of Chhindwara and Narsinghpur, and in these districts to less frequent prosecutions under 'assault' and 'hurt.' In Chhindwara, however, there has been a notable decrease in almost all headings.

"On the whole then, in regard to the state of crime, it may be said that heinous offences remain at a satisfactorily low figure; that *professional* dacoities and robberies continue to be hardly known, that these two violent crimes are very seldom committed at all, that the increase during the year 1869 of crimes against property has disappeared with the disappearance in 1870 of their main cause—bad seasons and hard times,—and that there has been some decrease in non-cognizable crime, arising partly at all events from less prosecution of petty offences against the person,—this decrease being again in great measure due to the better sifting of complaints."

Table of offences in the Narbada Division.

17. The annexed comparative table shows the state of the more important crimes in this Division :—

Districts.	Murder.		Dacoity.		Rape.		House-breaking in order to commit theft.		Theft ordinary.	
	1869.	1870.	1869.	1870.	1869.	1870.	1869.	1870.	1869	1870.
Narsinghpur ..	6	9	...	...	1	4	709	483	997	817
Hoshangabad ...	12	16	...	...	3	4	232	291	585	714
Nimar ..	4	5	2	4	...	2	225	169	472	392
Betul ...	2	3	1	...	1	...	222	228	466	328
Chhindwara ...	1	3	1	...	3	2	248	65	476	309

18. There are at present no means of accounting for the increase of crime in the Hoshangabad district. It is not improbable that it may be owing to some defect in the Police administration, so far, at least, as burglaries and thefts are concerned.

19. The Deputy Commissioner of Chhindwara has made some remarks on the difficulty of conducting prosecutions for bad livelihood, and they are here extracted :—

"I regret to say that the action of the Police in this matter of bad livelihood is not so good as could be wished. I believe there are many bad characters in the district whom the Police have not attempted to get at, but whose arrest would act most beneficially on the state of crime.

"But still I admit that the Police have difficulties to contend with. The Chief Commissioner in his review of the Police report for last year, says he cannot understand how any real difficulty can be experienced in obtaining the convictions of really bad characters; and again, further on, 'surely the Malguzar or some of the respectable inhabitants of a village can always be got to testify to a man's character and reputation.' But this is exactly the greatest difficulty the Police have to meet, namely,

the backwardness of the land-holders and respectable citizens in the larger towns (where presumably the bad characters preponderate) in giving evidence as to what they really do know of a man's habit and repute if it be undoubtedly bad. They are, as a rule, not sufficiently enlightened to realise that they can, better than in any other way, thus aid in the suppression of crime by coming forward and pointing out the veritable bad characters. Looking on it from their point of view, they see that by doing so they render themselves obnoxious to a class of men who are little scrupulous as to how they pay off outstanding scores, and, therefore, though they are aware that by speaking to the real character of individuals of this class, they are temporarily relieved of them, yet that they may expect to suffer reprisals at some (not very distant) future period. I know it for a fact that men of standing, who it would be supposed were above anything of the sort, are too much afraid to speak the whole truth and nothing but the truth regarding notoriously bad livers, either to the Police or to the Magistrate.

"Yet admitting all this, I do not think the Police are sufficiently active in the matter of bad characters, and that they might prosecute many more cases, both with certainty of success and with great advantage to the public. I have kept the subject before the District Superintendent, and believe he is quite aware of its importance."

The Chhattisgarh Division.

20. The following extract from the Commissioner's report shows the state of crime in the Chhattisgarh Division :—

"As the number of offences committed in 1869 was unusually great, owing to famine, &c., in order to facilitate comparisons, the figures of three years taken from Statement No. I. of the Magisterial series are below given :—

Districts.	Year.	Offences. Cognizable.	Offences. Non-cognizable.	Total.	Difference. In cognizable crime.	Difference. In non-cognizable crime.
1. Raipur	1868	1,185	669	1,854	...	...
	1869	2,376	416	2,792	+1,191	-253
	1870	1,280	575	1,855	-1,096	+159
2. Bilaspur	1868	871	378	1,249	...	...
	1869	1,960	267	2,227	+1,089	-111
	1870	1,338	473	1,811	- 622	+206
3. Sambalpur.	1868	778	283	1,061	...	...
	1869	1,883	292	2,175	+1,105	+ 9
	1870	845	317	1,162	-1,038	+ 25
Total for the Division ...	1868	2,834	1,330	4,164	...	...
	1869	6,219	975	1,194	+3,385	-355
	1870	3,463	1,365	4,828	-2,756	+390

"In the districts of Raipur and Sambalpur there is no great difference between the figures for 1868 and 1870. This shows that crime has fallen to about its normal standard in those districts. In Bilaspur, however, the offences both cognizable and non-cognizable were much more numerous than might have been expected, taking the year 1868 as a criterion, and considering that the circumstances of that district are in most respects similar to those of the Raipur district. The Deputy Commissioner of Bilaspur has given no satisfactory explanation as to the cause of the large number of offences reported in 1870, as compared with those reported in 1868,

"The following Table shows the state of heinous crime in 1870 in the Division, as compared with 1868 and 1869 —

	Raipur			Bilaspur			Sambalpur			Division		
	1868	1869	1870	1868	1869	1870	1868	1869	1870	1868	1869	1870
Murder and attempt to murder ..	5	10	7	6	6	4	6	7	5	17	23	16
Culpable homicide not amounting to murder ..	4	1	3	7	..	..	..	..	..	11	1	3
Robbery and dacoity	..	1	2	4	9	3	..	1	..	4	11	5
Causing grievous hurt ..	9	6	4	4	10	4	..	..	1	13	16	9
Total ..	18	18	16	21	25	11	6	8	6	45	51	33

"Taking all the districts together, there has been a marked falling off under the above head The marked decrease under robbery and dacoity in Bilaspur in 1870 as compared with 1869, is very satisfactory It is also deserving of note that whereas every year in each district one or two witch murders invariably took place, in 1870 there was no crime of that nature reported

"The amount of ordinary crime stood as noted below —

	Raipur			Bilaspur			Sambalpur			Division		
	1868	1869	1870	1868	1869	1870	1868	1869	1870	1868	1869	1870
Theft of cattle ..	108	214	191	89	224	240	37	86	47	234	534	498
Theft ordinary ..	443	1,185	509	313	584	374	459	1,024	419	1,215	2,793	1,302
Receiving or concealing stolen property	36	43	52	8	12	18	2	14	5	46	69	75
Mischief by fire .	2	2	..	..	3	...	2	2	..	4	7	..
House-trespass in order to commit theft	261	545	239	274	1,007	543	200	629	238	735	2,181	1,022
Criminal trespass or house-trespass	42	52	60	42	25	41	10	32	13	94	109	110
Total . ..	892	2,071	1,051	736	1,855	1,218	710	1,787	744	2,328	5,713	3,012

"The figures for 1870 under the head cattle theft against Bilaspur show very badly, the Deputy Commissioner believes that many offences have been included erroneously under this head The explanation given is however not specific enough As might have been expected the falling off everywhere under theft ordinary and house-trespass, as compared with 1869, is very marked and shows clearly that the large number of the offences were committed in the latter year in consequence of the severe distress"

Witch murders

21. With reference to the above remark about the cessation of witch murders, the Inspector General of Police has expressed his doubt whether the cessation is not more due to the absence of cholera than to the enlightenment of the people, or the deterrent effect of sentences that have heretofore been passed

22. A gang of dacoits, called into existence in the Raipur district by the distress of 1869, was broken up in the early part of 1870 by the capture of its ringleader and most of the members. The increase in non-cognizable crime in this district is attributed by the Deputy Commissioner to the institution of cases for offences against the Customs and Municipal laws.

Dacoity in the Raipur district.

23. Alluding to the decrease of heinous crime in 1869 and 1870, the Deputy Commissioner of Sambalpur thinks it may be said—

Decrease of heinous crime in Sambalpur.

"That the violent crime, for which this district had only a few years ago acquired such an evil name, has been effectually repressed, and that there is no reason to fear that such offences will ever again prevail to any great extent."

24. It will be observed that in the above remarks, extracted from the reports of the local officers, crime is discriminated into cognizable and non cognizable. This distinction, however, will not appear in the returns for 1871, and therefore it has been deemed preferable to drop it generally in the original part of this report, though it will be made use of in one or two places.

The distinction of cognizable and non cognizable crime not observed in this report.

A.—The Tribunals.

25. The annexed Table shows the number of Criminal Courts in the Central Provinces:—

Number of Courts at the close of the year.		1869.	1870.	REMARKS.
Chief Court of Province (Judicial Commissioner's Court)...		1	1	*18 of these are invested with special powers under Section 445 A, Criminal Procedure Code.
Sessions Courts (Commissioner's)		4	4	
Magistrates of Districts		19	19*	†Includes 8 Jail Superintendents, 3 Cantonment Magistrates, and 1 Judge Small Cause Court.
Magistrates with full powers...	Stipendiary ...	50	45†	
	Honorary ..	10	5	‡Includes 1 Assistant Cantonment Magistrate, 2 Jail Superintendents, 1 Civil Surgeon appointed General Assistant to the Deputy Commissioner, 1 Superintendent, Thuggee School of Industry, 1 Assistant Cotton Commissioner, 1 Executive Engineer, and 1 Customs officer.
Boards of Magistrates (Honorary) ..		2	4	
Subordinate Magistrates ...	Stipendiary ..	76	68‡	
	Honorary ..	63	67	
Justices of the Peace		43	40	

26. *The only districts in which a deficiency of Courts is said by the Commissioners to exist are Chanda and Balaghat. An application has been made, so the Commissioner reports to the Chief Commissioner for the appointment of two more Honorary Magistrates in the former, and the number of Courts in Balaghat is about to be increased by the introduction of the new establishments that have recently been sanctioned. The Deputy Commissioner of the Upper Godavari district states that the Courts are not

* One Court was closed at Paoni, in the Bhandara district because of the removal of the Tahsil from that place, where it was found to be superfluous.

sufficiently numerous, nor are they conveniently situated, and that the small amount of crime reported is owing to the inadequate number of Courts, and Police stations. This appears to be a correct representation.

Addition to the number of Honorary Magistrates desirable.

27. Nevertheless it cannot admit of question that in very many districts an addition to the number of Honorary Magistrates is desirable.

Changes amongst Honorary Magistrates during the year.

28. The following changes amongst the Honorary Magistrates are recorded. In the Nagpur district one resigned on his becoming a bankrupt, and the Commissioner states that it was ruled that any Honorary Magistrate who "might hereafter become a bankrupt should be called upon to resign." In Sagar two resigned from ill-health, and two died in the Hoshangabad and Upper Godavari districts. Two each were appointed in the Nagpur and Hoshangabad districts, and three were appointed in Raipur. The Honorary Magistrate of Chapa, in the Bilaspur district, misbehaved, and, as he was very old and in the hands of his servants, his resignation was accepted, and his son appointed in his stead. It is also to be noted that the Zamindar of Bhamgarh, an Honorary Magistrate of the Nimar district, has not had any work made over to him, because of his refusal to dismiss his Moharrir, whose influence over the Honorary Magistrate was for evil.

29. The following paragraph is taken from the report of the Commissioner of the Narbada Division :—

> "The advisability of increasing the number of Honorary Magistrates, wherever possible, and more especially of doing this in places remote from our ordinary Courts, is duly borne in mind, both by the district officers and myself. There is no dislike, but the reverse, on the part of the Deputy Commissioners, to making recommendations for these appointments. The question is purely one of personal fitness in each case. By 'personal fitness,' I mean a combination of personal worth, ordinary good sense, and adequate social status. Where a Native gentleman is found to possess these qualities in a sufficiently good degree, and to be willing to undertake the office, he is sure to be soon found out and recommended. The remarks of the Deputy Commissioners of Nimar and Chhindwara on this head are worth reading."

The passage alluded to in the Chhindwara report is this :—

> "We might with advantage have one or two Honorary Magistrates in the town of Chhindwara; but as I have before explained verbally, the one or two gentlemen whom I consider as intellectually fitted for the honor of the Magistracy, do not appreciate it, and decline to serve, whilst of others who are by position qualified, and who covet the appointment, I do not know one to whom there is not some objection, either moral or intellectual, though it may be there are many Honorary Magistrates in other parts who possess no higher qualifications."

It is believed that the remarks embodied in these two extracts are applicable to the greater part of the Central Provinces.

The Bench system amongst Honorary Magistrates.

30. The Commissioner of the Nagpur Division thus bears testimony to the advantages of the Bench system amongst Honorary Magistrates. It is not, however, thought desirable to extend the system to any other districts. It is confined at present to the Nagpur City.

> "The plan of seating two Honorary Magistrates on one bench together has been extended at Nagpur; there are now four benches of Magistrates, two of which take a great deal of Criminal business. I do not think that all the Magistrates themselves are as yet reconciled to the bench system. But I understand that, as the Deputy Commissioner reports, parties prefer going before a bench rather than before a single

Magistrate; and I, for my part, when hearing appeals from Honorary Magistrates' sentences, feel much confidence that two reliable Magistrates, sitting together, are pretty certain to estimate correctly the value of evidence coming before them."

And it is here desirable to add the following passage from the report of the Deputy Commissioner of Nagpur, alluded to by the Commissioner:—

"It is satisfactory that I have been able to extend the bench system at Nagpur. I think you will agree with me in considering the benches a decided improvement upon the former single system. They dispose of the Criminal business with equal speed and with more certainty of substantial justice being done. It was very common formerly for persons to file petitions before me, objecting to their cases being heard by certain Magistrates, giving as reasons 'friendship of the Magistrate with opposite side,' and so on; but now, the people appear before the benches without demur. The great difficulty is to provide for the regular sittings of the benches, as the Honorary Magistrates are of course liable to be called away upon business, and then fresh arrangements have to be made."

31. During the year the Chief Commissioner has expressed his wish that each Honorary Magistrate, as a rule, should have a Moharrir attached to him as a responsible adviser, and that the Moharrirs should be paid either from Municipal funds or from the Pandhari income. The Officiating Judicial Commissioner hopes that this arrangement may be carried out during 1871.

Procedure of Honorary Magistrates.

32. The remarks made by Colonel Spence, late Commissioner of the Jabalpur Division, on the procedure of the Honorary Magistrates may be held to be applicable to the Central Provinces generally. He says—

"The business that has been performed by our Honorary Magistrates, though they have generally exercised only second class powers, cannot be over-estimated in its importance, and I can add my testimony, from frequent intercourse with the people of all five districts of this Division, that Honorary Magistrates' Courts are nowhere wanting in popularity, and there are not a few, presided over by Native gentlemen like Baba Bulwant Rao of Jabalpur, which in their procedure would compare favorably with those of some of the Stipendiary Magistrates. It should never be lost sight of that, in extending the Municipal rules regarding sanitation, the Courts of Honorary Magistrates in towns can be very advantageously utilised in trying and disposing of prosecutions for breach of such rules, as the people are generally better satisfied with the judgments and orders, in such matters, of Magistrates who have been selected from among the most respectable and intelligent of their fellow citizens."

Court procedure generally.

33. The procedure in the Courts of these Provinces is generally correct. The Officiating Judicial Commissioner has frequently had occasion to remark on the incompleteness of the attestation required by law to the examination of accused persons in Sessions cases before the Magistrate. When the large proportion of confessions is remembered, this matter becomes of great importance, as without the proper certificate of attestation, a confession is not admissible in evidence before the Court of Session.

34. Another important defect in procedure was noted and corrected in murder cases, viz., that there was frequently no specific evidence to prove the *corpus delicti*, or to show that the body delivered for medical examination was that of the person said to have been murdered.

Assessors.

35. Of the immense value of assessors to Sessions Courts, there can be no doubt. But from some cases that he has seen, the Officiating Judicial Commissioner deems it advisable to caution officers presiding over such Courts against giving any indication of their own

views on the weight of the evidence or the guilt of the accused before they have ascertained and recorded the opinion of the assessors. If a free opinion is given by the assessors, it is in most cases of the greatest value; but assessors are often timid, and anxious to make their verdict coincide with what they believe to be the views of the Judge, and they are very acute in detecting any indications of the Judge's mind.

State of the Court-rooms.

36. The state of the Court-rooms is generally reported to be satisfactory. There are still deficiencies, the supplying of which depends on the provision of money. The Officiating Judicial Commissioner doubts, however, the advisability of Tahsildars' Courts being provided with railings, tables, and chairs.

Want of lock ups in the Central Provinces.

37. It is here deemed appropriate to place on record the absence of proper lock ups throughout the Central Provinces. It seems almost incredible that at this time there should be very few districts that have any lock-up at all at their head quarters; that there should be many Tahsil stations (combined with Police stations) in which there is no lock-up; that in hardly any place is there a separate lock-up for females; and that a large proportion of the lock ups for males are quite unsuited for the purpose. At the head quarters of most districts a spare ward in the jail is set apart for prisoners under trial, but generally these wards are accessible to the convicted prisoners, who are thus able to incite those under trial to retract their confessions, or to concoct false stories. As to females under trial, they are, with probably the exception of one or two places, invariably locked up with convicted females, who exert a not less evil influence over them than the male convicts exercise over male accused. In one place * the Officiating Judicial Commissioner saw a lock-up room, up stairs, of very small dimensions, in which prisoners, male and female, were wont to be kept when under trial, the sentry standing in the same room, and there being no other room on the same story. This is about to be altered, but this instance, added to what has been said above, shows how very urgent is the demand for a reform. Returns have been called for of all the lock ups in the Province, and of the requirements of each district in this respect, and a report shall in due course be submitted for the Chief Commissioner's orders.

* Gadarwara Tahsil.

Office of Judicial Commissioner.

38. The office of Judicial Commissioner was held by the following officers :—

Major H. Mackenzie, from 1st January to 31st July.

Mr. C. Bernard, from 1st to 30th August.

Mr. P. S. Melville, from 31st August to the close of the year.

B.—The distribution of business among the several classes of Courts.

39. Statement B. II.—39,748 persons were disposed of by the Magistrates, viz. :—

By Honorary Magistrates	..	..	11,245, or 28 per cent.
„ Stipendiary do	..	..	26,039 „ 66 „
„ Deputy Commissioners	..	..	2,464 „ 6 „

The following Table shows further the manner in which the work was distributed:—

DISTRICTS.	Persons disposed of						
	By Deputy Commissioners.	Cantonment Magistrates, Assistant Commissioners, and Extra-Assistant Commissioners at District head quarters, including Jail Supdts.	By Tahsildars at District head quarters.	By Honorary Magistrates at District head quarters.	By Stipendiary Magistrates in interior of districts.	By Honorary Magistrates in interior of districts.	Total.
Nagpur ...	19	895	343	3,178	721	..	5,156
Chanda ..	83	595	...	...	828	14	1,520
Bhandara ...	99	367	..	443	478	24	1,411
Wardha ..	256	435	58	..	857	325	1,931
Balaghat ...	139	308	39	..	117	...	603
Jabalpur ..	89	2,060	462	744	524	92	3 971
Sagar ...	308	1,399	383	436	1,260	829	4,615
Damoh ...	193	244	355	89	217	126	1,224
Seoni ..	125	546	297	...	667	452	2,087
Mandla ...	150	259	172	108	168	.	837
Hoshangabad ..	34	962	125	567	304	685	2,677
Betul ...	197	157	124	14	743	86	1,321
Narsinghpur ..	65	849	211	692	204	630	2,651
Nimar ...	133	427	347	768	525	343	2,543
Chhindwara ..	86	305	..	...	703	136	1,230
Raipur ...	80	1,263	6	118	844	236	2,547
Sambalpur ..	218	348	236	...	363	..	1,165
Bilaspur ...	143	554	101	...	985	110	1,893
Upper Godavari ..	47	297	..	..	2	..	346
Total ...	2,464	12,270	3,259	7,157	10,510	4,088	39,748

Comparative distribution of work in 1869 and 1870.

40 These figures show, on a comparison with the similar figures for 1869, that Deputy Commissioners, Assistant Commissioners, and Extra-Assistant Commissioners did the same proportionate amount of work as in the latter year; that Tahsildars at district head-quarters disposed of 8 per cent of persons accused, to 12 per cent in 1869; that Honorary Magistrates at head-quarters disposed of 18 per cent, to 9 per cent in 1869; that Stipendiary Magistrates in the interior of districts (chiefly Tahsildars) disposed of 26 per cent, to 29 per cent in 1869; and that Honorary Magistrates in the interior of districts disposed of 10 per cent, to 13 per cent in 1869.

Thus there has been a notable accession to the work of the Honorary Magistrates at the head-quarters of districts, balanced by a decrease in that performed by Tahsildars both at head-quarters and in the interior of districts.

The following Table exhibits the details for each district:—

Districts.		Percentage of persons disposed of					
		By Deputy Commissioners.	By Cantonment Magistrates, Assistant Commissioners and Extra-Assistant Commissioners at District head quarters, including Jail Superintendents	By Tahsildars at District head-quarters.	By Honorary Magistrates at District head-quarters	By Stipendiary Magistrates in interior of districts.	By Honorary Magistrates in interior of districts.
Nagpur ...	1869	1·6	14·5	4·8	34·2	26·1	18·8
	1870	0·4	17·6	6·6	61·5	13·9	...
Chanda ...	1869	5·0	58·2	...	..	36·4	0·4
	1870	5·7	39·3	..		54·1	0·9
Bhandara ...	1869	9·4	36·6	0·2	11·8	40·5	1·5
	1870	7·3	25·9	..	31·3	33·7	1·8
Wardha ...	1869	4·3	26·8	4·4	...	40·0	24·5
	1870	13·2	22·5	3·2	...	44·3	16·8
Balaghat ..	1869	20·1	40·5	16·5	..	10·9	12·0
	1870	23·1	51·0	6·5	..	19·4	..
Jabalpur ...	1869	24·1	35·5	23·6	10·5	23·7	2·6
	1870	2·2	51·9	11·6	18·7	13·8	2·3
Sagar ..	1869	3·6	35·9	2·5	9·7	32·6	15·7
	1870	6·7	30·3	8·4	9·4	27·4	17·8
Damoh ...	1869	8·9	20·6	28·7	..	26·4	15·4
	1870	16·6	21·2	28·4	7·1	17·3	9·4
Seoni ..	1869	7·7	16·2	17·6	12·8	28·2	17·5
	1870	6·6	26·7	14·0	..	31·4	21·3
Mandla	1869	33·3	28·5	30·3	1·3	6·6	..
	1870	17·6	30·6	19·4	12·4	20·0	..
Hoshangabad ..	1869	0·3	24·3	7·3	..	27·8	40·3
	1870	1·2	35·9	4·6	21·5	11·5	25·3
Betul ..	1869	10·9	9·5	38·8	3·6	29·6	7·6
	1870	14·1	12·8	9·3	1·1	56·2	6·5
Narsinghpur ..	1869	6·2	30·8	12·2	8·2	9·7	32·9
	1870	2·4	32·0	7·9	26·2	7·8	23·7
Nimar ..	1869	6·4	15·8	17·3	14·1	31·1	14·8
	1870	5·2	16·7	13·7	30·3	20·6	13·5
Chhindwara ...	1869	16·4	20·9	29·4	..	16·5	16·8
	1870	6·9	24·7	..	..	57·4	11·0
Raipur ..	1869	4·4	58·7	1·4	4·2	31·3	...
	1870	3·1	49·5	0·2	4·6	33·2	9·4
Sambalpur ..	1869	14·7	35·3	12·7	.	37·3	..
	1870	18·7	29·9	20·3	..	31·1	..
Bilaspur ..	1869	8·7	48·2	6·8	...	30·9	5·4
	1870	7·5	29·2	5·3	..	52·2	5·8
Upper Godavari ...	1869	17·4	23·6	...	..	59·0	...
	1870	13·6	85·8	..	..	0·6	...
Total ..	1869	6·7	30·4	11·7	8·8	29·3	13·0
	1870	6·2	30·9	8·2	18·0	26·4	10·3

Value of the Honorary Magistracy.

41. The Officiating Judicial Commissioner considers that the Honorary Magistrates are a valuable body, both in regard to the assistance rendered to the Courts and the convenience of the people; and that the office is regarded as conferring honor on the holder. It appears to be very desirable that these Magistrates should not be encumbered with more cases than they are willing to undertake, and this point is, it is believed, generally kept in view. On the other hand, it is expedient that it should

be optional to Honorary Magistrates to take up, without reference from the Deputy Commissioner, any complaint within their competence to decide Rules to the above effect were issued in 1865 (Book Circular XII.), but an instance has come to notice in which they have been disregarded.

The following extracts are taken from the Divisional and District reports :—

Commissioner, Nagpur.—"The Honorary Magistrates in the Nagpur district tried 61 per cent of the persons put on trial in the whole district; in Bhandara, 33 per cent were tried by Honorary Magistrates; and in Wardha, 16 per cent. The proportion of business going before Honorary Magistrates has thus increased in Nagpur and Bhandara, and decreased in Wardha. I have inspected, during the last year, nearly all the Honorary Magistrates' Courts, and I have heard appeals from all the full power Honorary Magistrates. I find that, in the main, these gentlemen attend to law and procedure, are prompt in the despatch of business, and very careful to observe all Circular instructions. I think that the bulk of complainants like going before Honorary Magistrates, in Bhandara, at any rate, where Yado Rao Pandi, Honorary Magistrate, has done one-third of the Magisterial work of the district. Complainants from the whole district have free choice whether they will present petitions to his Court or to the Extra-Assistant Commissioner, and certainly the larger number prefer the Honorary Magistrate's Court."

Commissioner, Narbada Division.—Although the business in the Honorary Magistrates' Courts seems so large, yet it is substantively less by a good deal than what they did in 1869, though the *proportion* is higher. No pressure of any sort is used to make Honorary Magistrates take more work than they like. I believe I may confidently state that what these gentlemen have done, they have wished to do."

Deputy Commissioner, Jabalpur.—"The City Honorary Magistrates have disposed of a considerable amount of work, and have done it well; one of them, Baba Bulwunt Rao has taken up the nuisance cases, so that for petty breaches of the Municipal Bye Laws, the people are punished by one of their own leaders. This is the best course for making sanitary rules, which must be enforced, as little irksome to the people as possible, and the Honorary Magistrate's Court is an extremely popular one, the fines imposed being systematically light."

The Deputy Commissioner, Raipur, gives a picture on the other side of the case :—

"Oomrao Singh, Zamindar of Bindra Nowagarh, Honorary Magistrate with full powers, has this year decided one case, his first and only case since his investment with powers, three years ago.

"Bissessur Missur and Chingir Sao, Honorary Magistrates of the 2nd Class have again done no work, and when asked when they proposed to begin, the latter wished to resign and the former said he had not yet provided himself with a proper establishment."

There are, however, three other Honorary Magistrates who are reported to be working well.

Notice of Honorary Magistrates who have merited commendation

42. The names of those Honorary Magistrates who have merited commendation will be specially brought to the notice of the Chief Commissioner.

Sessions Courts.

43. There has been a considerable increase in Sessions work the aggregate being 314 cases disposed of, as compared with 276 in 1869. There has been, however, a great reduction in the cases tried by Commissioners, and a very large accession to the number of trials before the Deputy Commissioners, doubtless in consequence of the operation of Section 415 B of the Criminal Procedure Code, which was in force during the whole year, whereas it was only in force during a part of 1869.

The figures stand thus:—

	1869	1870
Commissioners	197	99
Deputy Commissioners	79	215
	276	314

Work in the Judicial Commissioner's Court.

44. In the Court of the Judicial Commissioner the following work was disposed of:—

	1869	1870
Cases sent up for confirmation of sentence of death	36	26
Appeals,—persons	126	203
Cases revised,—persons	101	152

The reason for the increase in appeals is, that up to the month of November 1870 it was held that all appeals from the orders of a Deputy Commissioner invested with powers under Section 445 A. of the Criminal Procedure Code lay to the Judicial Commissioner, no matter whether the orders has been passed by the Deputy Commissioner in his ordinary capacity as Magistrate or in the exercise of his extended powers under Section 445 A. Following the example of the Chief Court of the Panjab, the Officiating Judicial Commissioner ruled that only appeals from orders passed by a Deputy Commissioner in the exercise of his extraordinary jurisdiction should lie to the Judicial Commissioner, other appeals being heard as formerly by the Commissioner. The Calcutta High Court has since adopted the same view. The number of appeals to the Judicial Commissioner in the current year may be expected to be fewer.

C.—The Action of the Tribunals of original jurisdiction on accused persons appearing before them.

Number of persons, acquittals, and convictions.

45. There were 40,534 persons brought before the Courts. In 1869 the number was 50,265 Of those disposed of in 1870, 14,047, or 35 per cent, were acquitted or discharged. and 26,055, or 65 per cent, were convicted. The proportions for 1869 were 29 and 71 respectively.

Ratio of convictions in 1870 not so high as in 1869.

46. The proportion of convictions in 1870 could not be expected to be as high as during 1869, because in 1869 a large number of persons committed crime to satisfy the demands of hunger, and made but little attempt to evade arrest or conviction. The corresponding figures of 1868 are almost the same as those for 1870, being 34 per cent for acquittals and 66 per cent for convictions.

Table of convictions and acquittals.

47. The following Table shows the proportion of acquittals and convictions in the different classes of crime:—

Class	Description.	Percentage of	
		Acquittals and discharge	Convictions.
1	Offences against the State, the Public, and Justice ..	17	83
2	Offences against the person	55	45
3	Offences against property	29	71
4	Offences under Indian Penal and Criminal Procedure Codes, not included in the above	57	43
5	Against special laws	13	87

48. The large proportion of convictions in Class I is due to the great number of cases of nuisance, rioting, and affray, in all of which acquittals, as might have been expected, have been few. There are also 376 convictions for frivolous or vexatious complaints, under which heading there are no acquittals.

Ratio of acquittals in Class I

Special notice of certain offences under Class I

49. The offences in this class on which remarks seem to be called for are the following:—

No. 9. Diminishing or altering coin.—Nine persons arrested, of whom 7 were convicted. The largest number of persons convicted belonged to the Sambalpur district. The Deputy Commissioner of that district writes that—

"The accused persons covered a quarter anna or other copper coin with quicksilver, and then endeavoured to pass it off as a silver coin, the effect of the quicksilver, however, passes off so rapidly that in all the cases the deception was at once noticed. The offenders in this class of cases almost invariably belong to the Ganda caste, which contains within itself nearly the whole of the thieves and bad characters of the district."

No. 10. Passing or possessing bad or altered coin.—77 persons were arrested and there were one or more cases in every district except Balaghat. The Deputy Commissioner of Jabalpur reports that one of the offences committed was the work of professional coiners from Ramtek, in the Nagpur district, and the Deputy Commissioner of Raipur states that one of the cases in that district "was of professional coiners from the Hyderabad country who came to the Rajim fair and were apprehended."

No. 15. Personating public servant.—These cases were numerous in the Raipur and Bhandara districts, 34 and 26 persons respectively having been arrested. The Deputy Commissioner of Raipur explains that—

"The majority of the cases were of persons giving themselves out as chuppirsees or Muzkoorees, and in one case four persons gave themselves out as the jungle Darogah and his followers, and cut a number of logs of wood in the Sunjari Taluka."

No. 17. Omitting to give information of offence or giving false information.—The report of the Deputy Commissioner of Chanda contains the following observations on this class of offences:—

"I think that they require watching, they are generally brought to light in the following way,—a report is made to the Police that a theft or some particular offence cognizable by the Police has been committed, enquiry follows, and the Police report that the information given them is false and the case ought to be struck off the register. It is only fair to the Police that they should be allowed to prove the false information, and permission is generally given the end of which is that the false informer is perhaps punished. The fear that I entertain in such cases is this—allowing the conviction to be just, yet still it is as likely as not to deter the people generally from reporting, lest the information they give should not be *proved* to be true, and so be supposed to be false, if such apprehensions ever do get abroad, the Police will have the upper hand, and free reporting will be put a stop to. I do not mean to say that such a state of things has actually occurred in this district, on the contrary, I have given the Police credit for reporting the pettiest thefts, but I notice the matter as deserving of constant attention."

On this it seems necessary to remark, that prosecutions should only be allowed in very exceptional cases. The truth or falseness of a reported crime

can be readily ascertained for the purpose of deciding whether the crime shall be excluded from the register of offences or not. To allow of indiscriminate, or even numerous, prosecutions for giving false information to the Police would be even a greater evil than to frequently arraign, on a charge of giving false evidence, defendants in Civil suits who make a false defence. The greatest caution is necessary in sanctioning prosecutions of this kind.

No 48 A. *Frivolous and vexatious complaints.*—These are cases of compensation for frivolous and vexatious complaints awarded to accused persons under Section 270 of the Criminal Procedure Code 383 persons were condemned to pay in 1870, the number in 1869 being 309. The following extracts are here made in connection with this subject and the cognate one of sifting complaints before the issue of process against the accused in petty cases; and it may be accepted as a fact that generally the Courts are more careful than formerly in scrutinizing complaints, though it is found very difficult to detect the error underlying a well got up statement before the accused appears. The Commissioner of the Narbada Division says,—

> "In this matter, as well as in the better sifting of complaints, I think the Magistracy have perhaps made some improvement during the year."

And the Deputy Commissioner of Betul observes that,—

> "A considerable number of these discharges are due to the prevalence of frivolous and false complaints, got up through ill will, in which the complainant will make out a good *prima facie* case which on enquiry falls to the ground. It will be seen that frivolous and false complaints have both increased during the year under report, and I consider these offences are more than ordinarily prevalent in this district."

And, alluding to the proportion of acquittals in non cognizable cases, the Deputy Commissioner of Chhindwara remarks that,—

> "There is no doubt that the Magistrates are much more careful than formerly in sifting complaints of this nature, and that this in a great measure, accounts for the better comparative results. But the general comparison under this head is bad, as natives will so exaggerate that it is difficult often to believe that the mountain shown to us is after all only a molehill.

Nos. 52 *and* 53. *Public nuisances.*—The largest number of prosecutions have been made in Nagpur, Nimar and Jabalpur,—the three districts containing the most populous towns, and most of the cases are for the breach of municipal laws. Notwithstanding a doubt expressed on this subject by the Commissioner of the Narbada Division, the Officiating Judicial Commissioner is not disposed to think that any undue harshness has been exercised in enforcing these laws.

Ratio of acquittals in Class II.

50. *In Class II.* the following are the most important offences, and it will be observed that the largest proportion of acquittals and discharges is in heinous offences against the person, and that the difference in the proportion of acquittals in cognizable and non-cognizable cirmes is not greater than might be expected from the circumstances that false charges of non-cognizable offences are often made with a good *prima facie* appearance, and that many true charges under this denomination are withdrawn or compromised.

Heinous or minor offences against the person.	Offences.	Number of persons		Per cent of acquittals or discharge.	Cognizable or Non-Cognizable.
		Acquitted or discharged.	Convicted.		
Heinous.	Murder	116	84	58	Cognizable.
	Attempt to commit suicide...	61	74	45	"
	Causing miscarriage ...	9	...	100	Non-Cognizable.
	Exposing infant	15	10	60	Cognizable.
	Administering stupefying drugs	16	6	73	"
	Wrongful confinement ..	91	98	48	Non-Cognizable.
	Kidnapping	28	14	66	Cognizable.
	Selling minor for prostitution	14	1	93	"
	Enticing women with criminal intent	106	53	66	Non-Cognizable.
	Fradulent and unlawful marriages	47	13	78	"
	Adultery	91	22	81	"
	Rape	49	11	81	Cognizable.
Minor.	Hurt	408	447	33	Non-Cognizable.
	Wrongful restraint ..	124	161	44	Cognizable.
	Assault .. .	5,685	4,313	57	Non-Cognizable.
	Criminal intimidation or insult	765	757	50	"
	Defamation	230	151	66	"

The percentage of acquittals and discharges in the above Table may be thus abstracted:—

		Cognizable.	*Non-Cognizable.*
Heinous	... ..	60	65
Minor ..	.. ..	44	56
	Total ...	58	56

Special notice of certain offences under Class II.

51. *Murder* (58—64.)—There were 97 cases to 94 in the preceding year. There were 221 persons under trial, of whom 116 were discharged or acquitted, and 84 were convicted. These results are not nearly so favourable as in 1869. The districts in which this crime was most frequent are Sagar (14), Hoshangabad (17), and Narsinghpur (9).

No. 85. Selling, &c., women for purpose of prostitution.—Of the 88 persons under trial, 84 belong to the Nimar district. Only one person is shown as convicted in the above Statement, 71 being under trial at the close of the year. It is satisfactory to be able to announce that convictions of the remaining number have been largely obtained, and that these convictions have, in the main, been upheld in appeal by the Officiating Judicial Commissioner. A very vigorous traffic in young girls had begun to spring up between the Narbada valley and Manmar in Khandesh, and the success of the Police in recovering a large number of girls, and of the Courts in convicting the offenders, will, it is believed, put a stop to anything like extensive transactions of the same kind. The Deputy Commissioner of Nimar thus describes the circumstances connected with this class of crime:—

"In November last a Railway Policeman at Khandwa overheard a young girl say to two grown up women with whom she had come out of a carriage, that if they treated her so badly she would run off to her parents in Narsinghpur. He made prisoners

of the party at once, and reported to the European Constable in charge of the Railway Station; the latter informed the Inspector, Mr. Hurst, who after a short cross examination found good reasons to believe that the girl had been, with a lot of others, taken by some Kanjars or Kuchbandias to Manmar in Khandesh, and there arrangements had been concluded for the disposal of all their number, except this girl. The arrest of the families of the Kanjars at Khandwa led at once to the voluntary offer of one or two members to accompany the Inspector to Manmar and there point out the girls who had passed through their hands. The offer was accepted, and a search at Manmar resulted in the discovery of 18 girls (not a single boy), in the possession of Kolatins, who avowed themselves to be common prostitutes.

"Further enquiries showed that the crime was one regularly organized, extending from Jabalpur to Manmar, with ramifications in Sagar and in some of the Bundelcund States, and eventually girls were recovered in Jabalpúr, Narsinghpúr, and Khandwa itself. The trade apparently did not always commence in crime. The severe times of 1868 and 1869 had thrown many hundreds of orphans on the world, and in many instances they had found a home with the Kanjars, who, as far as can be judged now, did not treat them with any degree of cruelty; gradually a market was found, the Khandwa Kanjars, apparently from their propinquity to the Manmar Kolatins, being the first to organize the arrangements So profitable was it that the Kanjars of Jabalpur and Narsinghpur found it pay them to purchase children and transfer them to their brethren further west, without having recourse, as far as can be made out, to any kidnapping at all."

On which the Commissioner observes :—

"To the Deputy Commissioner's full remarks on the subject, I have only to add, (1) that the crime was apparently a new one, dating back only to the recent scarcity, which provided most of the children, and the opening of the railway, which furnished the means of selling them at a distance; (2) that the first batch of prisoners were tried in my own Court at the commencement of the present year, and were sentenced each to four years' rigorous imprisonment; and (3) that the measures taken by the Police and Magisterial authorities appear to have completely covered the necessary ground, and that the system has been put an end to completely, as well as quickly."

Ratio of acquittals in Class III.

52 The annexed Table shows the most important cases under Class III,—"Offences against property."

With or without violence, &c.	Offence.	Number of persons		Percentage of acquittals or discharges.	Cognizable or Non-Cognizable.
		Acquitted or discharged.	Convicted.		
With violence..	Dacoity	45	32	58	Cognizable.
	Robbery of all kinds ...	63	34	65	"
	House-breaking to commit theft	584	2,130	21	"
	House-breaking in order to commit other offences...	36	67	35	"
Without violence ...	Theft of cattle	451	1,227	27	"
	Theft ordinary	1,592	5,003	24	"
	Dishonestly receiving stolen property	247	616	21	"
alici ous ...	Criminal trespass ...	489	685	42	"

Special notice of certain offences under Class III.

Dacoity, No. 100.—The greatest proportion of acquittals and discharges is in the Nagpur, Chanda and Nimar districts; and under the different heads of *Robbery* in the Narsinghpur and Balaghat districts. A case of dacoity that occurred in the Seoni district in July 1857 was tried during the year under report The Police officer who effected the capture of the accused showed great intelligence and energy, and all the accused were convicted by the Commissioner. But

the offence was wholly unattended by aggravating circumstances; in fact it was a simple robbery of grain by a band of men, who did violence to no person. The crime was clearly covered by the following para of the letter of the Government of India in the Foreign Department, No 519, dated 8th November 1858, calling attention to the Royal Amnesty which had then been proclaimed, and the prosecution should not have been allowed A copy of the Government letter was forwarded to all Deputy Commissioners by the Commissioner of Nagpur, with his letter No. 2,678, dated 20th November 1858.

9. "The amnesty, it is to be observed, does not cover acts of private wrong and injury. But prosecutions on this account should be discouraged by District officers, especially where the cause of complaint occurred during a season of anarchy. Where much time has elapsed, such cases should not be admitted except upon strong *prima facie* ground, that a heinous offence, still calling for punishment was perpetrated, or a heavy wrong sustained which can now be redressed. And in all cases relating to the period in question (excepting where the defendant may be charged with direct participation in wilful and deliberate murder) compromise between the parties should not only be freely admitted, but recommended and encouraged."

A Circular has been issued directing Deputy Commissioners to strike out from the Register of proclaimed offenders all who fall within the terms of the above-quoted paragraph.

House-breaking to commit theft, No 108.—The percentages of acquittals and discharges are very good in the following districts:—

Jabalpur	10·
Damoh	14·
Raipur	10·
Sambalpur	6·

and the percentage is very high in Nimar, *viz*, 66. The number of cases in that district is not, however, large. The following passage is taken from the report of the Deputy Commissioner of Jabalpur :—

"Considering the petty character of many of the thefts which occur among the agricultural population, and the facilities afforded from the character of their dwelling-houses to the removal of property, a large number of thefts must always remain untraced. Still this is the class of crime which is most prevalent, which shows a tendency generally to increase rather than decrease, which is steadily pursued, as far as can be judged, by a small class of professionals who live by thieving, and which in its results falls like an annual tribute on the industries of the people. It cannot, I think, be said that the Police are eminently successful in dealing with this class of crime, and the reason probably is, that sufficient systematic attention is not given to discovering and tracking the class of habitual perpetrators and the receivers of stolen property."

And the Deputy Commissioner of Nimar, when alluding to cases of house-breaking and thefts, says,—

"So helpless do the Nimar Police feel in investigating these offences that I think they are often more inclined to try and prove that no offence had been committed (and I must admit that very frequently their theories are remarkably ingenious) than to wait patiently and obtain the clue that might lead to detection."

Here is an interesting extract from the report of the Deputy Commissioner of Sambalpur.

"Of the 154 persons charged with this offence, 144 persons were convicted, and only 10 discharged and acquitted. The cause of the high proportion of convictions is that in nearly every case the accused confess their guilt as soon as they have been arrested, produce the property they have stolen, and give up the names of their accom-

plices who may still be at large. Nearly all of the offences under this head are committed by the people of the Ganda caste, whom I have already referred to as being notorious bad characters; and both the people and the Police are now well acquainted with their evil ways. When a house has been broken into and any property stolen therefrom, the owner immediately complains to the Gaunthia of his village, and a search is at once instituted as to the direction in which the thieves have made off with their booty, and if any clue to this can be found, the village from which the thieves have come is at once guessed at, and enquiries are there made in the Ganda quarter as to which of them have been absent from their homes during the night, and these enquiries very often lead to the detection of the thieves and the recovery of the stolen property before the Police have even time to come and take up the investigation."

No. 112. *Theft of Cattle.*—The districts in which this offence is at all numerous are noted below :—

	Percentage of acquittal or discharge.
Raipur	14
Damoh	19
Jabalpur	21
Sagar	30
Narsinghpur	31
Bilaspur	35
Mandla	55

Although there are not many cases of this kind in the Sambalpur district, the Deputy Commissioner thus describes the manner in which offenders are apprehended :—

"In these cases too, however, the Police obtain great assistance from the owners, who often, as soon as the theft has been committed, start off in search of their cattle, travelling sometimes from village to village for weeks together, and then when they have recognized them, give information to the Police and have the thieves prosecuted."

The Deputy Commissioner of Balaghat has made lengthy remarks in para. 10 of his report about this crime, but their value is much affected by the fact that only nine persons were arrested during the year in that district, and that the total number of thefts of cattle reported was 21.

Thefts ordinary, No. 113.—The proportion of acquittals and discharges is high in—

Wardha	43
Seoni	33
Nimar	33
Bilaspur	30

The Upper Godavari returns show only 21 thefts in the year and 14 persons arrested. There must be a great suppression of information in this district, as has already been observed (para. 25).

No. 123. *Criminal trespass or house-trespass.*—The result of trials in the following districts has been the release of a large proportion of the accused :—

Hoshangabad	60	per cent.
Nimar	57	"
Wardha	54	"
Narsinghpur	52	"

CLASS IV.

Remarks on offences under Class IV.

53. The following remarks of the Commissioner of the Narbada Division are applicable to the whole of the Central Provinces:—

"Prosecutions under 'vagrancy' and 'bad livelihood' in all districts still appear to be very few,—too few I should think."

There must, one would suppose, be a good deal of vagrancy and bad livelihood in the Narbada valley districts, and especially in Nimar, but in that district there was not a single prosecution under these heads. The following is an extract from the report of the Deputy Commissioner of Sambalpur:—

"Vagrancy and bad habit and repute.—No cases are shown under these heads in the returns for the past year, and it is as well that I should here explain how this has happened, lest it should be thought that the Police have shown remissness or neglect in not bringing up any persons charged under the Sections to which these cases refer. In this country, where mendicancy is an established institution, and more particularly in this district, which is often overrun by people begging their way to and from Pooree, there is of course no lack of vagrants, but it would be almost impossible to say that any one of them was lurking, or that he had no ostensible means of livelihood, and at the same time any one by merely asserting that he was a pilgrim could always give what must under ordinary circumstances be accepted as a satisfactory account of himself. It must therefore always be very difficult for the Police to prosecute successfully any persons under Section 295. Again, I have already mentioned that almost all the thefts which take place in this district are committed by men of the Ganda caste, who are a notoriously immoral and dissolute set. Ostensibly they follow the profession of weaving, but even when leading a comparatively honest life, they obtain the means of their subsistence chiefly from the earnings of the women of their families. It may be said that there is scarcely one of them who would hesitate to commit a theft if he had the chance of doing so without detection, and a very large number of them have been more than once already punished for offences of this nature. The repute of the whole caste is bad as bad can be, but the difficulty that the Police have to contend against is, that it is almost impossible to say that any one of them is worse than his neighbours, and thereby deserving of being singled out for prosecution under Section 296."

Offences against special Laws.—Class V.

Ratio of acquittals in Class V.

54. The following are the offences under this Class sufficiently numerous to attract attention:

Offences against	Number of persons		Percentage of acquittal or discharge.
	Acquitted or discharged.	Convicted.	
Spirit and drug Laws	175	606	23
Salt and saltpetre Laws	28	664	4
Stamp Laws	58	212	21
Municipal and Cantonment Laws..	103	1,360	7
Forest Laws	91	521	15
Railway Act	38	198	16
Income Tax Act	96	483	17

Special notice of certain offence under Class V.

55. *Salt and Saltpetre, No* 134.—There has been a decrease in these cases in the Sagar district, and an increase in Raipur and Sambalpur, the only other districts in which they are at all numerous. There has been a decrease for the Central Provinces from 384 offences in 1869 to 369 offences in 1870. The reason assigned by the Deputy Commissioner for the decrease in Sagar is a—

" Falling off in the traffic in salt, and the influx of a cheaper salt brought by rail."

The Deputy Commissioner of Sambalpur observes that—

" Most of the cases are still of an extremely petty character, being attempts on the part of the poorer classes of the villagers to smuggle a few seers of salt across the Customs' line."

Stamps, No. 135 —There has been a decrease under this head, viz., from 181 offences in 1869 to 132 in 1870. The Stamp Law is believed to be fairly well observed.

Municipalities and Cantonments, No. 140.—The number of persons prosecuted under these Acts (other than for nuisances) are—

1868	...	1,564.
1869	...	719.
1870	...	1,463.

No doubt the distress of 1869 induced a degree of leniency which would not otherwise be expedient. It is not considered that these laws are inconsiderately enforced. The prosecutions are confined to the Nagpur, Jabalpur, Sagar, Nimar and Raipur districts. Nearly half the prosecutions appertain to the city and Cantonments of Jabalpur, and the following remarks are made by the Deputy Commissioner:—

" The cases are perhaps too numerous, but without prosecutions it is impossible to maintain conservancy or cleanliness in the city and Cantonment, while the fine imposed is often only a few annas, acting more as a warning than as a punishment. The introduction of new Bye-laws during the year undoubtedly increased the prosecutions both under the Military authorities in Cantonment and in the city. But although there has been an increase of cases, when compared with the preceding year, the cases are not so numerous as in 1867."

Railways, No 143.—The number of prosecutions has risen from 54 in 1869 to 122 in 1870. This is owing chiefly to the opening of the line between Bhosawal and Jabalpur. The proportion of convictions is satisfactory. But it has been found that the Police are somewhat too ready to prosecute, irrespective of the wishes of the Railway officials. The question of the due subordination of the Railway Police to the Railway authorities has been referred for the orders of the Chief Commissioner.

Income Tax, No. 156.—There has been a vast increase of prosecutions under this heading, the figures being,—

1869	..	...	297	cases.
1870	...	..	526	,,

The percentage of convictions has been shown above to be very high. The districts in which these prosecutions have been the most numerous are:—

Seoni	..	...	..	92
Hoshangabad	..	..	...	82
Nimar	...	..	...	82
Bilaspur	...	...	...	79

56. In the following extract from the Commissioner's report, Narbada Division, with reference to breaches of the Forest, Stamp, Income Tax and other special Laws, the Commissioner says:—

Prosecution under certain special Laws.

"Offences are, I believe, not as a rule prosecuted too promiscuously, or punished too severely, under these special Laws In nothing perhaps is the discretion of the Deputy Commissioner more needed than in the administration of the punitive clauses of these Acts Ill-administered, they can of course be made a perfect bugbear to the people I am glad to think that *the general* direction of the Deputy Commissioners in this matter proceeds on broad and liberal principles, while at the same time cases suitable as examples for the evilly disposed are not passed over without punishment. I cannot but doubt, however, as an exception to the above general rule, whether it was really necessary and expedient to prosecute so largely under the Income Tax Act in Hoshangabad and Nimar"

In these remarks the Officiating Judicial Commissioner concurs And it may be noted that the Deputy Commissioner of Nimar gives his opinion that the Income Tax Act prosecutions in his district were unnecessarily numerous.

57. There were 217 persons under trial at the close of the year, whereas in 1869 the number was 146 Of the number remaining, 48 persons were awaiting trial at the Sessions Courts of Commissioner and Deputy Commissioner.

Persons under trial at close of year

58. 178 persons were disposed of in the Sessions Courts of the Commissioner, and of them 39 were acquitted, or 22 per cent. The highest proportion of acquittals (32 per cent) was in the Narbada Division, and the lowest (11 per cent) in the Jabalpur Division

Result of trials in Sessions Courts of the Commissioner

59. In the Sessions Courts of the Deputy Commissioner 98 persons were acquitted to 254 convicted. The percentage of acquitted was thus 28.

In the Sessions Courts of the Deputy Commissioner

In those districts the proportion of acquittals was small.—

Seoni	..	..		6 per cent.
Betul	...	..	...	9 "
Chhindwara	..	..	..	10 "
Sagar	...	..	..	10 "
Raipur	...	..	..	11 "

In the following districts it was high:—

Narsinghpur	...	..	..	47 per cent
Hoshangabad	...	..	...	46 "
Wardha	..	..	...	43 "
Nimar	...	..	..	43 "
Bilaspur	..	...	...	39 "
Jabalpur	..	...	..	34 "

D.—*Punishments.*

60. In apparent forgetfulness of the Resolution of the Government of India No. 2,034, dated 28th December 1868, communicated to the Criminal Courts by the Judicial Commissioner's Book Circular II of 1869, two persons were sentenced to transportation for terms above seven years in the Narsinghpur district.

Transportation for terms above seven years

Sentences of imprisonment.

61. 6,104 persons, being 24 per cent of the total* number convicted, were sentenced to imprisonment, either alone, or combined with fine and whipping. The corresponding percentage in 1869 was 27, and in 1868 it was 21. The result during 1870 may be considered a fair average, many persons were imprisoned in 1869 who, owing to poverty and bodily feebleness, could not be fined or flogged.

* 25, 672, excluding 383 required to pay compensation for frivolous and vexatious complaints.

Table of sentences of imprisonments.

62. The following Statement shows the terms to which these persons were sentenced, as compared with 1868 :—

Term of Imprisonment.	1869.		1870.	
	Number of persons imprisoned.	Percentage to whole.	Number of persons imprisoned	Percentage to whole.
Not exceeding 15 days ...	1,929	20 2	1,166	19 1
" 2 months ..	3,650	38 3	2,275	37 3
" 6 months ...	2,861	30·	1,869	30 6
" 2 years ...	959	10 1	682	11·2
" 7 years ...	136	1 4	112	1 8.

Sentences of solitary confinement.

63. 5,782 persons were sentenced to rigorous imprisonment, and they were all liable to be sentenced also to solitary confinement, but only 84, or 1·5 per cent of the number, were so sentenced. In the districts of Chanda, Balaghat, Sagar, Seoni, Mandla, Hoshangabad, Nimar, Sambalpur, Bilaspur, and Upper Godavari there were no sentences to solitary confinement; in the Bhandara, Wardha, Damoh, Betul, Chhindwara and Raipur districts the numbers sentenced in any one district do not exceed 4; in Nagpur and Narsinghpur the numbers are respectively 14 and 16; while in Jabalpur 41, or nearly half the entire number sentenced, received solitary confinement. Now, granting that in many districts there are no solitary cells, it is clear from the above enumeration that there are other districts in which this salutary provision of the law is neglected. If solitary confinement is properly carried out, its infliction involves a reduction of the period of imprisonment. In the Panjab the percentage of persons sentenced to solitary confinement is 34 or 35.

Sentences of fine.

64. The number of persons fined is 17,133, being 278 fewer than in 1869. The total amount of fines was Rs. 1,19,885, or Rs 15,503 less than the amount imposed in 1869. The average amount of fine was thus Rs 6-15-11, as compared with Rs 7-12-5 in 1869. This decrease in the average amount of fine may be attributed to the endeavours now very generally made to adapt the fines to the capacity of those sentenced to pay them, and a further decrease may yet be anticipated, though in many districts it would seem that the standard is sufficiently low.

Table of average amount of fines.

65. The following Table shows the average amount of fines inflicted in each district:—

District.	Average amount of fine on each person	
	1869.	1870.
Nagpur	8	5·3
Chanda	4	3·6
Bhandara	7	6·1
Wardha	7	7·8
Balaghat	11	7·5
Jabalpur	11	5·4
Sagar	7	6·9
Damoh	8	6·7
Seoni	7	7·7
Mandla	6	5·8
Hoshangabad	6	7·9
Betul	7	8·8
Narsinghpur	6	6·1
Nimar	7	5·
Chhindwara	5	5·4
Raipur	5	6·8
Sambalpur	9	9·
Bilaspur	9	6·5
Upper Godavari	8	5·8
Total average ..	7	6·4

Realization of fines.

66. Of the Rs. 1,19,885 imposed as fines, Rs. 94,301, or 78·7 per cent., were realized, being about the same proportion as in 1869. Rs. 3,074 were realized on account of previous years. Rs. 2,995 were imposed by the Commissioner of Jabalpur, and of this sum nothing was realized. The realizations in the Court of the Commissioner of the Chhattisgarh Division were only 50 per cent of the whole In the following Sessions Courts of the Deputy Commissioner the realizations were unfavourable :—

Balaghat	26·
Seoni	4·
Mandla	35·
Upper Godavari	17·

In the Hoshangabad and Bilaspur Courts the result is very good.

In the following districts, exclusive of the Sessions Courts of the Deputy Commissioner, the proportion of realizations was good:—

	Percentage.
Bhandara	87
Balaghat	96
Mandla	87
Betul	88
Chhindwara	95
Narsinghpur	89
Nimar	97
Bilaspur	95

Attention paid to the question of fines.

67. The subject of fines, both in regard to amount and realization, has latterly received much attention in these Provinces.

Method for excluding fines remitted on appeal from the yearly calculation of realization.

68. The Deputy Commissioner of Nimar, in alluding to the larger proportion of fines realized in that district in 1870, as compared with 1869, says that,—

"For the first time under Commissioner's No. 5412, dated 27th October 1870, fines remitted on appeal have not been entered.

"The absence of this rule formerly will explain the scanty collections on account of previous years. The truth is, collections were always fair, but balances were necessarily large, as when fines were remitted on appeal they were legally irrecoverable."

And the Commissioner of the Narbada Division observes that,—

"Fines remitted on appeal are in some districts shown as not realized; in other districts they are—as I think they should be—struck off from the demand."

The Officiating Judicial Commissioner has issued instructions for securing a return of the amount of fines remitted on appeal, so that the calculation of the proportion of realizations may be made after deducting the remissions.

Compensation under Section 44, Criminal Procedure Code.

69. Rs. 12,318 were awarded in payment of compensation to injured parties under Section 44, Criminal Procedure Code. 56 per cent of this amount was paid. In 1869 Rs. 14,115 was ordered to be paid. The number of persons convicted in 1870 amounts to 74 per cent of those convicted in 1869; and the compensation awarded in 1870 is 89 per cent of that awarded in 1869. This result is doubtless owing to the extended powers given under Section 44 of the Criminal Procedure Code, as revised by Act VIII. of 1869. But from notices in some of the district reports it would appear that even greater effect might be given to this provision of the law.

Sentences of whipping.

70. 3,924 persons were whipped under Act VI. of 1864 in 1870, as compared with 10,136 persons in 1869.

The percentage of whipped to the total number convicted in the two years is,—

1869	...	...	...	29
1870	...	...	...	15

The reason assigned by the Commissioner of the Nagpur Division in the following sentence of his report is applicable to the Central Provinces generally:

"The great decrease in the proportion of persons punished with whipping is due to the cessation of petty grain and other thefts, which were so frequent during the famine season."

Proportions of adults and juveniles whipped.

71. Of the persons whipped in 1870, 3,683 were adults and 241 juveniles. 41 per cent of the total number of adults liable to whipping were whipped and of juveniles 76 per cent. The corresponding figures for 1869 were 55 and 64 respectively.

Districts in which whipping was sparingly resorted to.

72. Recourse to whipping has been had very sparingly in the following districts :—

District.	Percentage whipped of the total number liable to whipping.
Chanda	28
Mandla	22
Hoshangabad	27
Narsinghpur	21
Upper Godavari	27

Juveniles whipped in addition to other punishment.

73 One juvenile was whipped in addition to other punishment in the Bilaspur district. This was illegal, as no other punishment can be added to a juvenile sentenced to be whipped under the Whipping Act.

Average number of stripes.

74. The average number of stripes inflicted on each person whipped was 14.

Punishments not generally too severe.

75. It may safely be said that punishments in the Central Provinces are not generally too severe, though instances now and then occur of sentences which are undoubtedly excessive. On the other hand, the Officiating Judicial Commissioner has sometimes observed very inadequate punishments meted out for very gross crimes. He cannot think that a sentence of 18 months' imprisonment and a fine of 10 rupees is sufficient for a brutal and unmitigated case of rape of a girl 8 years old by a man of 30.

Compensation for frivolous and vexatious complaints.

76. Compensation was awarded to 383 persons against whom complaints of a frivolous or vexatious nature were made. In 1869 there were 309 persons compensated. It is satisfactory to note that out of Rs. 946 ordered to be paid, Rs. 909 were realized.

Still, it is to be feared that the following remarks by the Deputy Commissioner of Chhindwara are of pretty general application :—

> "I think the Subordinate Courts are still hardly aware of the necessity for awarding compensation for frivolous complaints. In several cases I have examined, compensation might well have been awarded where it was not. The attention of Magistrates has again been called to this point."

E.—*Detention of witnesses.*

Release of witnesses from attendance satisfactory.

77. 69,095 witnesses attended during the year, and of these 99 per cent were released in three days. Those who attended only one day are 88 per cent, those who attended two days 9 per cent, and those who attended three days 2 per cent. This is very satisfactory, and is an improvement on the returns for 1869.

Long detention of witnesses in some districts.

78. The explanations given of the delay in dismissing witnesses who were kept in attendance beyond three days in the Hoshangabad and Raipur districts are not altogether satisfactory. The detention of two witnesses in the latter district for more than 16 days was owing to the Magistrate (a Tahsildar) being required "to attend a Criminal Court in Raipur."

Registers of attendance of witnesses correctly kept.

79. It is believed that the registers of the attendance of witnesses are generally correctly maintained, but the Officiating Judicial Commissioner found, during his recent tour, that Tahsildars were sometimes in the habit of counting only the first and last days that a witness attended in an adjourned case, notwithstanding that it was impossible for him to get back to his home and occupation and return to the Court within the period of the adjournment.

Greater promptitude of Honorary Magistrates in dismissing witnesses.

80. The Deputy Commissioner of Nagpur bears testimony to the greater promptitude of the Honorary Magistrates in releasing witnesses from attendance.

F.—Appeals, References, and Revisions.—Statement B 5.

Appeals to Magistrates from the orders of Subordinate Magistrates.

81. 709 persons appealed to Magistrates against orders passed by Subordinate Magistrates, being at the rate of 4 per cent on the 17,651 persons convicted by those Subordinate Magistrates. The proportion of appeals from Honorary Magistrates' orders was slightly in excess of that from Stipendiary Magistrates' orders.

Ratio of orders upheld in the above appeals.

The percentage of appears in which the sentence was confirmed and in which the appeals were rejected is—

Honorary Magistrates	...	...	45
Stipendiary ...	..	..	51

Appeals to Commissioners from the orders of full power Magistrates.

82. 552 persons out of 6,588 persons convicted, or 8·4 per cent appealed from the orders of Magistrates with full powers to the Courts of the Commissioner. Of the 553 persons, only 49 appealed from the orders of Honorary Magistrates.

Ratio of orders upheld.

The result was that appeals were rejected and orders confirmed in the ratio of,—

55 per cent in appeals from the orders of Honorary Magistrates.
69 „ „ „ Stipendiary „

Appeals to the Judicial Commissioner from orders of Deputy Commissioners and Commissioners.

83. 208 persons appealed to the Judicial Commissioner from the orders of Deputy Commissioners and Commissioners, and the orders were upheld and the appeals rejected in the case of 66 per cent of these persons.

Pending appeals.

84. The appeals of 46 persons were pending at the close of the year in all Courts.

Table of appeals in 1869 and 1870

85. The following figures show the number of persons who appealed in the Central Provinces during 1869 and 1870 :—

	1869.	1870.
In Courts of Magistrates	636	710
In Courts of the Commissioner	540	552
In Court of the Judicial Commissioner	126	208
Total	1,302	1,470

This shows that there has been a considerable proportionate accession of appellate work during 1870, the number of persons convicted having been larger in

1869 than in 1870. The reason for the large increase in the Court of the Judicial Commissioner has been explained above (para. 43).

Average duration of appeals.

86. The average duration of appeals has been good in all Courts except in that of the Commissioner of Jabalpur, where it was 88 days. The same cause that operated in delaying the disposal of work generally in that Court is to be assigned for the delay in deciding Criminal appeals.

87. Every facility is afforded in these Provinces for appeal. 5 per cent of those convicted by Magistrates appealed during 1870. In the Punjab 4½ per cent appealed of those convicted in 1869. But the result of appeals was more satisfactory in the Punjab than in the Central Provinces. The percentage of appeals rejected and orders confirmed are as follows in the two Provinces:—

	Punjab.	*Central Provinces.*
In Magistrates' Courts	63	49
In Commissioners' Courts	80	68

Cases referred for confirmation of sentence of death.

88. 26 cases were referred to the Judicial Commissioner for confirmation of the sentence of death passed on 31 persons. The sentence was confirmed against 25 persons, it was reduced to transportation for life against 3 persons, and it was annulled in regard to 3 persons.

Revision in the Court of the Judicial Commissioner.

89. As a Court of Revision, the Judicial Commissioner dealt with cases in which 152 persons were concerned; the sentence of the lower Court being modified in regard to 33 persons and reversed in regard to 77 persons. Many cases were also sent for on examination of the periodical returns.

Inspection of Courts by the Judicial Commissioner.

90. The Officiating Judicial Commissioner during his tour in 1870-71 inspected the head-quarter Courts of five districts, and many subordinate Courts also in those districts.

G.—Duration of cases.

Average duration of Police cases.

91. *Statement VII. A.*—There were 11,154 cases sent up by the Police, and their average duration is 2·3 days, as compared with 2·4 days in 1869.

9,167 cases, equivalent to 83 per cent, were disposed of in two days. In 1869 the proportion of such cases was 82 per cent.

A reference to this Statement will show that the proportion of cases pending for long periods is much less than in 1869.

The districts in which the statistics are specially favourable are :—

			Percentage of cases disposed of in two days.
Jabalpur	...	...	92
Damoh	..	...	91
Sambalpur	..	...	90

And the corresponding figures for districts which do not show well are—

Seoni	..	...	..	74
Hoshangabad	...	...	..	75
Betul	..	..	...	61
Narsinghpur	...	...	...	66
Bilaspur	..	...	...	73

It is strange that with the care evinced in the ensuing extract from the report of the Deputy Commissioner of Seoni, the results should not be better; for in that district there was a large proportion of cases pending for long periods :—

"In every instance where a Police case is not disposed of on the day it reaches the Magistrate, a special report explaining the cause of delay is sent to the Deputy Commissioner."

92. The following portions of the Commissioner's report, Narbada Division, may here be appropriately extracted :

"The average duration of Police cases has not improved up to the desired extent in Hoshangabad, and in Narsinghpur and Betul it appears quite too long. The Deputy Commissioner of Betul merely says that it was the same as last year, and that therefore no remark is necessary; but he seems to forget that last year it was too high. The high average duration in Narsinghpur is not so much due, as the Deputy Commissioner thinks, to the few exceptional cases which he mentions, and in which delay no doubt was unavoidable; it is rather due, both in this district and in Betul, to habitual slowness in certain particular Courts (*e. g.* that of the Tahsildar of Betul)".

Average duration of cases instituted on complaint.

93. *Statement VII. B.*—The average duration of the 12,101 cases instituted directly before the Magistrates was 8·3 days, or slightly less than in 1869.

The districts in which the average is much exceeded are,—

Chanda	...	...	... 13 days
Balaghat	..	..	... 14 „
Betul	...	...	... 11 „
Narsinghpur	...	...	... 11 „
Bilaspur	..	...	... 13 „

Average duration of Sessions trials in the Courts of the Commissioner.

94. The following figures show the average duration of Sessions trials in the Courts of the Commissioner :—

			1869.	1870.
Nagpur	...	...	28	36
Jabalpur	...	...	49	76
Narbada	..	..	66	56
Chhattisgarh	..	...	40	50

No reason is assigned for the unduly high period in the Jabalpur Division.

Average duration in Courts of Deputy Commissioner.

95. The average duration of Sessions trials in the Courts of the Deputy Commissioner is nine days.

MISCELLANEOUS.

The Khairagarh Zamindari.

96. The Commissioner of the Chattisgarh Division and the Deputy Commissioner of Raipur allude to the successful result of the location of a Police force in the Khairagarh Zamindari. In consequence of the maladministration of the Zamindar, he was deprived of

his Criminal powers under the orders of the Government of India, No. 902, dated 2nd June 1870. The Deputy Commissioner says :—

"Although the crime in the Khairagarh Zamindari is not shown in our returns, yet I cannot help making a few remarks on the subject, because the success which has attended the detection of crime in Khairagarh has rid the district of a class of criminals who are dangerous to society.

"During enquiry into a heavy burglary case at Khairagarh the Chief Constable discovered the existence of an organized gang of habitual thieves who preyed on travellers passing up and down the Eastern road.

"He apprehended 37 persons and recovered a mass of stolen property which completely filled three country carts; of these 37 persons, some were convicted as thieves, some as receivers, and some as belonging to a wandering gang of thieves; but the result of their arrest has been most marked, inasmuch as theft on the highway has almost ceased. The capture of this gang was very cleverly effected, and the case was well carried through the Courts, and reflects considerable credit on the Police. Since the location of our Police in the Khairagarh territories, crime has diminished a good deal in that direction, as the Feudatory territories used to be a regular resort and harbour for thieves and bad characters, and it was so easy for them to commit crime on the high road, and then plunge into the Zamindari territory which lines both sides of the road."

Circulars issued by Judicial Commissioner.

97. The most important Circulars issued by the Judicial Commissioner during the year are the following :—

Book Circular V.—Prescribing forms to be used in the record of Criminal trials.

Book Circular VI.—Prescribing forms of processes in connection with the Judicial proceedings of Criminal Courts.

Book Circular XXII.—Doing away with the rule which required that Sessions trials in which sentence of death is passed should be sent up for confirmation of the sentence to the Judicial Commissioner in copy. The whole of the record except the judgment is now sent up in original.

Book Circular XXIII.—Laying down rules for the recording of medical evidence.

I have the honor to be,

Sir,

Your most obedient Servant,

T. DRYSDALE,

Officiating Registrar,

Judicial Commissioner's Court,

Central Provinces.

JUDICIAL COMMISSIONER'S COURT, C. P.,
NAGPUR:
The 1st May 1871.

JUDICIAL STATEMENT BI.

Showing the various Judicial Tribunals, Original and Appellate, existing in the districts of the Central Provinces on the last day of the year 1870.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles	Average population of each Division.	Number of Tribunals	Constitution of Tribunals stating number of Judges in each, and Jury or Assessors if any.	Judicial powers of each Tribunal, Original or Appellate.	Prescribed qualification of Judges previous to appointment.	Total number of Judges: European: Covenanted	Total number of Judges: European: Commissioned Military Officers	Total number of Judges: European: Uncovenanted	Total number of Judges: Native.	Average annual salary of each paid Judge: European.	Average annual salary of each paid Judge: Native.	Total cost of Tribunals.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work	Average number of Advocates admitted to each Tribunal	Number of Cases decided during the year: Criminal.	Number of Cases decided during the year: Civil.	Number of Cases decided during the year: Revenue	Number of Cases decided during the year: Appellate
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15	17	18	19	20	21	22
Local and Sub-Magistrates Exercising Criminal powers only. Paid	7	...		7	A single Judge presides over each Court	Each Judge has powers of a Subordinate Magistrate of the 1st or 2nd Class, under the Criminal Procedure Code.			3	4	.	Nothing special for Judicial services.		92	Of the paid Judges, two are district Medical officers invested with subordinate	and Gazetted holidays.	in the Central Provinces	155	..	.	.
Unpaid	53	243	16,056	67	Jury or Assessors not employed.		..	..	..	2	65	..	..	1,314				5,063	..	..	..
						Magisterial powers within the precints of the Jails of which they are in charge, one is a district Medical officer appointed General Assistant to the Deputy Commissioner, one is the Superintendent, Thuggee School of Industry, one an Assistant Cotton Commissioner, one an Executive Engineer in the D. P. W., and one a Customs Officer.															
Do do exercising Criminal and Civil powers. Paid	1	1,142	48,535	1	Ditto.	Criminal Subordinate Magisterial powers of the 2nd Class and Civil powers to try suits of the nature cognizable by Courts of Small Causes, of value not exceeding Rs. 50.	..	.	..	..	1	..	600	Not recorded	This officer is a Nab Tahsildar			59	184		..
Unpaid	..	..	..				..	..	..	..	..	..	..	..				..	..	..	..

Local and Subordinate Magistrates exercising Criminal Civil, and Revenue powers only.	Paid	35	1,530	144,396	63	Ditto.	Each Judge has on the Criminal side powers of a Subordinate Magistrate of the 1st or 2nd Class, under the Criminal Procedure Code and on the Civil side power to hear Suits of value up to Rs 100, 300, 500, or 1,000, according to his powers under the Central Provinces' Courts' Act (XIV. of 1865), and has on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863).	..	1	1	4	57	6,731	2,537	131,184	These officers are Tahsildars (Sub-Collectors), and Extra Assistant Commissioners They are employed in the districts to which they are attached.	20 days, excluding Sundays	67 Pleaders practise	9,947	22,044	..	...
	Unpaid	..	..	..	..			..	..	..	..	..	..	..	..												
Small Cause Courts		6	390	93,834	8	Ditto.	One Judge has power to hear Suits up to Rs. 1,000, and another to Rs 500, under Act XI. of 1865. Three Judges under Act XI of 1865 and XXII. of 1864, have power to hear suits up to Rs 500 in value, and one Judge under the same Law to hear suits up to Rs. 50. Four of the six Judges above mentioned exercise the powers of a Magistrate and one of a Sub-Magistrate of the 1st Class, and one is invested with the powers of a Collector under Act X. of 1859, with the exception only of the power to hear appeals. The remaining two Judges are Registrars of two of the Courts who have been invested with the powers of a Judge to decide suits up to Rs 20.	..	..	6	..	2	9,924	2,460	70,847	Three of these Judges are Cantonment Magistrates and one an Assistant Cantonment Magistrate. The Judge, Nagpur Small Cause Court, is also Registrar General.	..	..	1,487	12,033	..	..
Naib Tahsildars exercising only Civil powers.		6	612	72,962	6	Ditto.	Each Judge can hear Suits up to Rs 50, in value, under Section 6 of Act XIV. of 1865 (Central Provinces' Courts' Act).	..	..	..	..	6	...	650	4,030	They assist Tahsildars in the general administration of the sub-division of the district (Tahsil) to which they are posted.	..	..	..	5,703	..	..
Boards of Magistrates	Paid	..	..	..	..	Each Board consists of two Magistrates Jury or Assessors not employed.	Each Board exercises the full powers of a Magistrate under the Criminal Procedure Code.	..	..	..	..	..	..	..	..	None.	..	..	..	..	..	..
	Unpaid	1	3,731	630,341	4			..	..	..	..	6	..	..	330		..		360	..	..	..
Magistrates of full powers exercising only Criminal powers.	Paid	8	...	..	8	A single Judge presides over each Court.	The full powers of a Magistrate under the Criminal Procedure Code.	..	..	3	5	..	..	..	..	The paid officers are district Medical officers, invested with Magisterial powers within the limits of the jails over which they are appointed Superintendents.	...	..	237	...	..	...
	Unpaid	3	2,960	4,29,184	5	Jury or Assessors not employed.		..	..	..	..	9	..	..	330		..	..	927	..	..	...

JUDICIAL STATEMENT B. 1.—*(Continued).*

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Prescribed qualification of Judges previous to appointment.	Total number of Judges. European Covenanted.	Total number of Judges. European Commissioned Military Officers Uncovenanted.	Total number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work	Average number of Advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of full powers exercising also Revenue and Civil powers.	23	3,847	3,61,9,94	8	A single Judge presides over each Court. Jury or Assessors not employed.	In addition to full Magisterial powers as above, each of these Judges is empowered under Act XIV. of 1865 to hear Civil Suits up to Rs 500 in value, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	..	2	20	12	12	6,180	4,500	80,971	These officers are Assistant and Extra-Assistant Commissioners and aid their Deputy Commissioners in the general administration of the districts to which they are posted.	...	..	5,145	23,190	..	..
Magistrates of Districts exercising also Revenue and Civil powers	1	2,800	233,625	1	Ditto.	In addition to full powers as above this officer hears appeals from convictions by his Sub Magistrates. On the Civil side he can try suits up to any value and hear appeals from the decisions of the Subordinate Civil Courts of his district of the four lowest grades specified in Act XIV. of 1865. On the Revenue side he has the powers of a Collector under the Rent Law.	..	..	1	..	..	12,000	..	14,730	This officer is a Deputy Commissioner, invested with the administrative charge of a district.	..	..	89	7	..	25
Magistrates exercising special Criminal powers as Chief officers of districts and exercising also Civil and Revenue powers.	18	4,500	427,877	18	Do, except in cases tried by Do.	In addition to the powers of "the Magistrate of the District" as above, these officers are invested with special powers under Section 445A. of the Criminal Procedure Code to try all offences not punishable with death, in trying each defended case.	...	..	15	3	..	14,444	..	102,090	These officers are Deputy Commissioners invested with Administrative charge of districts.	...	..	805	327	.	1,601

Commissioner's Courts	4	21,040	19,96,353	4	A single Judge presides over each Tribunal He is assisted by two Assessors when trying Sessions Cases (Criminal)	These officers preside on the Criminal side over Courts of Sessions and trying heinous offenders committed by Magistrates to their Court for trial, and likewise hear appeals from the orders of Magistrates with full powers On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV of 1865 hear appeals in all suits in which the value is Rs 5,000 or more and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain suits under Act X of 1859 (the Rent Act) They have also special original jurisdiction under Act IV of 1869, the Indian Divorce Act, and Act X. of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division and hear appeals from orders of Collectors under the Rent Law	..	2	2	..	..	37,500	..	1,63,390	Commissioners have administrative charge of Divisions consisting of several Districts.	..	..	114	..	..	1,476
Court of the Judicial Commissioner	1	84,162	79,85,411	1	Ditto	A single Judge presides over this Court, unassisted by either Jury or Assessors The Judicial Commissioner's Court is the Court of Appellate Court in Criminal and Civil cases, hearing on the Criminal side appeals from the orders of Session Courts and on the Civil side special appeals from orders passed on appeals by Deputy Commissioners or Commissioners In Criminal cases the Judicial Commissioner has also the power of revision given by the Code of Criminal Procedure to the Sadar Court.	..	1	..	..	..	37,000		63,102	The Judicial Commissioner also supervises the Stamp Revenue Administration of the Central Provinces.	..	..	..	..	..	259

ABSTRACT.

Number of Criminal Courts	
Local and Subordinate Magistrates	155
Magistrates with full powers	50
Board of Magistrates	4
Magistrates of Districts	19
Courts of Session	4
Court of Judicial Commissioner	1
Total....	213

Number of Civil Courts.	
Small Cause Courts	6
Courts of the Naib Tahsildar	7
Courts of the Tahsildar	37
Courts of the Assistant Commissioner	28
Courts of the Deputy Commissioner	19
Courts of the Commissioner	4
Court of the Judicial Commissioner	1
Total....	102

JUDICIAL STATEMENT B 2.

STATEMENT of offences reported and of persons tried, convicted, and acquitted for each offence in the Central Provinces in the year 1870.

Description of offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
CLASS I.							
OFFENCES AGAINST THE STATE, THE PUBLIC, AND JUSTICE.							
Against the State.							
1. Waging, or conspiring to wage, war against the Queen ..	121,121A	..	..	..	..	..	
2. Collecting arms, or concealing design to wage war ..	122,123	..	..	..	..	..	
3. Assaulting Governor General, &c, with intent to compel or restrain the exercise of any lawful power	124	..	..	..	..	..	
4. Exciting disaffection or circulating false rumours ...	124A and 505	..	..	..	..	..	
5. War or depredation on Allied powers	125 to 127	..	..	..	..	..	
6. Abetment of mutiny	131,132	..	..	..	..	..	
7. Other offences relating to the Army and Navy	133 to 138	..	...	..	..	..	
Relating to Coin, Stamps, Weights and Measures.							
8. Counterfeiting coin	231 to 238	4	13	1	12	..	
9. Diminishing or altering coin	246 to 249	5	9	2	7	..	
10. Passing or possessing bad or altered coin	239 to 243 and 250 to 254	61	77	33	38	..	
11. Counterfeiting Government Stamp, or possessing or making instrument for the purpose	255 to 257	..	..	..	..	..	

12.	Selling or possessing counterfeit Government stamps ..	258, 259	..	..	..	..	..	
13.	Using as genuine counterfeit stamps, or effacing or altering same	260 to 263	2	2	..	2	..	
14.	Making, using, or possessing false weights or measures ..	264 to 267	100	171	23	143	..	
	Against Public Justice.							
15.	Personating Public Servant or Soldier	140, 170, 171	70	111	30	80	1	
16.	Concealing design to commit offence	118, 120	..	..	..	..	..	
17.	Omitting to give information of offence, or giving false information	176, 177, 181, 182, 202, 203	182	216	60	151	2	3 escaped.
18.	False information punishable under special revenue laws ..	Act XXI. of 1856, Sections 66 and 73. Act XXXVI. of 1855, Section 7.	...		...	..	..	
19.	Causing disappearance of evidence	201, 204	20	34	6	25	4	3 of those remaining under trial have been committed.
20.	Resisting, obstructing, threatening, or omitting to assist Public Servant	183 to 187, 189, 190	94	149	49	95	..	2 escaped.
21.	Resisting Abkaree Officers	Act XXI. of 1856. Secs. 64 and 73.	..	..	..	..	..	
22.	Resisting Public Officer acting under the Arms Act ..	Act XXXI. of 1860, Sec. 34	..	..	..	..	..	
23.	Disobedience of lawful order causing injury	188	37	113	13	100	..	
24.	Intentional insult or interruption in judicial proceedings ..	228	36	39	2	37	..	
25.	Harbouring an offender	212, 216	12	15	5	10	..	
26.	Taking or offering gift to screen offender	213 to 215	20	24	10	14	..	
27.	Resistance to, or rescue from lawful apprehension ...	224, 225	34	33	6	27	..	
28.	Escape from lawful custody or transportation	224, 225A 226	71	77	3	71	..	1 transferred to Youtmal and 2 to Nowgong
29.	Aiding escape of State prisoner	130	..	..	..	..	..	
30.	Absconding from, avoiding, or disobeying summons, notice, or order to attend or produce	172 to 175	173	285	53	232	..	
31.	Refusing to take oath, or answer, or sign	178 to 180						
32.	Violation of condition of remission of punishment ..	227	...	..	...	...	..	
33.	Failure to attend as Juror or Assessor	Cr. P. C. Section.	4	10	..	10	..	
	By Public Servants.							
34.	Abetment or concealment of offence by Public Servant ...	116, 119	..	..	..	..	..	
35.	Taking valuable thing by, or to influence Public Servant ...	161 to 165 (See Act XXXI of 1867, Section 2).	41	52	20	31	1	

JUDICIAL STATEMENT B 2.—*(continued).*

	Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
36.	Public Servant acting illegally to injure any person ..	166, 167	6	12	5	7	--	
37.	Ditto unlawfully trading	168, 169	2	2	1	1	--	
38.	Ditto fraudulently defeating punishment or forfeiture.	217, 218	8	10	5	5	--	
39.	Ditto wilfully making order or decision contrary to law	219, 220	...	--	--	..	--	
40.	Ditto intentionally omitting to apprehend or permitting to escape	128, 221, 222	2	2	1	1	--	
41.	Ditto negligently suffering escape	120, 223	42	63	9	53	1	
42.	Breach of Police Act by Police officers	Act V. of 1861, Secs. 19, 29	57	67	5	61	--	1 died.
	False Evidence, False Complaints or Claims, and Forgery.							
43.	Giving false evidence	193 to 195	48	83	36	45	1	1 escaped.
44.	Fabricating false evidence ... ... -	193 to 196	7	10	9	1	--	The person remaining under trial has been committed.
45.	Making, issuing, or using false Statement or Certificate ..	197 to 200	2	7	4	3	--	
46.	False personation in Judicial proceedings . -	205, 229	2	2	--	2	--	
47.	Fradulent claim to, or concealment of property or suffering of decree	206 to 208 and 421 to 424	10	23	8	15	--	
48.	False claim in Court of Justice	209, 210	7	8	5	3	--	
49.	Frivolous or vexatious complaint ... ... -	Cr. P. C., Sec. 270.	210	383	--	383	--	
50.	False charge of offence - ...	211	34	37	16	21	--	
51.	Forgery or fraudulently using or possessing forged document .. .. -	465 to 469 and 471 to 477	30	57	31	24	1	1 accepted tender of pardon.
52.	Making or using false trade or property marks ... -	482 to 489 and Act VII. of 1865, Sec. 5, Sub-rule 21.	1	2	1	1	--	

	Public Nuisances.								
52.	Public Nuisance under the Penal Code	269, 294 A.	189	374	85	259	—		
53.	Nuisances under Police, or Municipal, or Cantonment Act	Act V. of 1861, Secs. 32, 34 Act XVIII. of 1864, Sec. 15. Act XXII. of 1864 Secs. 19 (except clause 7) 26, 29, 30, 31, and 33. Act XV. of 1867, Sec. 18.	690	1,182	117	1,058	1	6 escaped.	
	Relating to the Public Peace.								
54.	Rioting or unlawful assembly	143 to 153, 157, and 153.	29	395	58	247	—		
55.	Omitting to inform of, or prevent riot	154 to 156	—	—	—	—	—		
56.	Affray	160	119	460	63	397	..		
57.	Offences relating to religion	295 to 298	4	5	4	1	..		
		TOTAL OFFENCES UNDER CLASS I	2,472	4,520	784	3,717	12	17.	
	CLASS II.								
	Offences against the person.—Serious.								
58.	Murder by Thugs	302, 303	—	—	—	..	..		
59.	" Dacoits	302, 303, and 396	1	12	—	10	—	2 accepted tender of pardon.	
60.	" Robbers	302, 303	17	36	23	10	1		
61.	Murder by Poison. for sake of robbery	302, 303	8	19	9	9	1	committed.	
62.	Murder by Poison. from other motives		8	14	11	2	1		
63.	" other from motives connected with women	302, 303	9	17	8	6	2	1 transferred to Nagode. The 2 persons remaining under trial have been committed.	
64.	" other from other motives		54	123	63	47	9	2 died, 1 escaped, and 1 transferred to Sirpur in Hyderabad. 7 of these persons under trial have been committed.	
65.	Attempt to murder	307	10	24	11	11	1	1 transferred to Sehora.	

JUDICIAL STATEMENT B 2.—*(continued).*

	Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
66.	Culpable homicide	304, 308	21	52	35	13	3	1 died. 2 of those remaining under trial have been committed.
67.	Causing death or grievous hurt by rash or negligent act ...	304 A, 338	1	2	..	2	...	
68.	Abetment of suicide	305, 306	1	2	..	2	...	
69.	Attempt to commit suicide	309	111	135	61	74	...	
70.	Causing miscarriage	312, 316	4	9	9	..	..	
71.	Exposure of infant or concealment of birth	317, 318	17	26	15	10	...	1 died.
72.	Grievous hurt	325, 326	70	102	41	60	...	1 accepted tender of pardon.
73.	Do. on grave and sudden provocation	335	10	13	4	9	...	
74.	Hurt by dangerous weapons	324	62	83	28	50	5	3 of those remaining under trial have been committed.
75.	Administering stupefying drugs	328	5	23	16	6	1	Committed.
76.	Causing hurt to extort property or confession	327, 329, to 331	10	22	11	11	...	
77.	„ Public servant	332, 333						
78.	Wrongful confinement after issue of writ for liberation or in secret	345, 346	83	153	72	80	1	
79.	„ to extort property or confession ...	347, 348	18	37	19	18	...	
80.	Assault to public servant, or to outrage modesty or dishonour a person, or in attempt to commit theft or wrongful confinement	353, to 357	86	136	43	93	...	
81.	Criminal intimidation punishable with more than two years' imprisonment	506	...		...	...	...	
82.	Buying or disposing of any person as a slave	370, 371	...	3	3	...	...	

83.	Kidnapping or abduction	363 to 365 and 367 to 369	16	42	28	14	..		
84.	Abducting a woman to compel marriage, or for defilement ...	366	2	13	12	1	..		
85.	Selling, letting, or unlawfully obtaining a woman for purposes of prostitution	372, 373	40	88	14	1	71	2 accepted tender of pardon. 22 of those remaining under trial have been been committed.	
86.	Enticing a woman with criminal intent	498	121	166	106	53	7		
87.	Fradulent and unlawful marriages	493 to 496	26	60	47	13	..		
88.	Adultery	497	104	113	91	22	..		
89.	Rape	376	28	61	49	11	..	1 transferred to Ellichpur	
90.	Unnatural offences	377	7	11	8	3	..		
	Minor offences against the person.								
91.	Hurt	323, 334	439	855	408	447	..		
92.	Rash or negligent act, and hurt caused thereby	336, 337	6	11	4	7	..		
93.	Wrongful restraint	341	163	235	124	161	...		
94.	" confinement..	342 to 344	..	..	..	..	..		
95.	Assault or use of criminal force	352 and 358, Cr. P. C. Sec.	5,449	10,027	5,685	4,313	19	10 escaped.	
96.	Criminal intimidation or insult	504, 506 to 509	900	1,531	765	757	8	1 escaped.	
97.	Causing annoyance in state of intoxication	510	13	31	19	12	..		
98.	Unlawful compulsion of labour	374	22	23	5	18	..		
99.	Defamation	500 to 502	222	385	230	151	4		
	TOTAL OFFENCES UNDER CLASS II.		8,164	14,745	8,079	6,507	134	25.	
	CLASS III.								
	Offences against property with violence.								
100.	Dacoity	395, 397, 398	13	95	45	32	1	2 transferred to Berar, 9 to Bhopal, and 6 to Puraturiah.	
101.	Preparation or assembly for dacoity	399, 402	..	...	..	..	...		
102.	Robbery with hurt or deadly weapon. — By poison or stupefying drugs	394, 397, 398	4	10	2	4	4	Committed.	
103.	Robbery with hurt or deadly weapon. — By other means		3	5	3	2	..		
104.	Robbery. — In a dwelling house	392, 398	6	18	8	10	..		
105.	Robbery. — On the high road		14	27	19	8	..		
106.	Robbery. — Elsewhere		9	44	31	10	2	1 accepted tender of pardon	
107.	Extortion	384, 389	91	159	92	66	1		

JUDICIAL STATEMENT B. 2.—*(Continued).*

Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
108. House-breaking or house-trespass in order to commit theft ..	451, 454, 457	5,832	2,738	584	2,130	23	1 transferred to Yeotmul, 1 to Oomraoti, 1 to Mvhere, 2 to Bhopal, 3 to Lullutpur, 2 to Nowgong, 2 to Sehora, and 3 escaped.
109. House-breaking or house-trespass in order to commit an offence other than theft	449 to 451 454, and 457	97	103	36	67	..	
110. Theft or mischief or house-breaking or house-trespass with preparation for an attempt to hurt	382, 440, 452, 455, and 458 to 460	13	24	9	14	1	
111. House-breaking or lurking house-trespass	453, 456	106	115	22	93	..	
Without violence.							
112. Theft. Of cattle	379 to 381	1,299	1,754	451	1,227	10	3 transferred to Banda, 11 to Nagode, 2 to Indore, 3 to Rewah, 14 to Lullutpur, 10 to Gwalior, 3 to Bhopal, 1 to Sironje, 9 to Nowgong, 2 to Jhansie, 1 to Lucknow, and 7 escaped.
113. Theft. Ordinary	379 to 381	8,728	6,638	1,592	5,003	8	1 transferred to Nagode, 1 to Agra, 2 to Banda, 3 to Sehora 1 to Lullutpur, 1 to Ellichpur, 2 to Bhopal, 1 to Jhansie, 1 to Nowgong, 1 to Oomraoti, 1 to Khandeish, 7 escaped, and 13 died

114	Dishonestly receiving stolen property	411, to 414	414	868	247	616	3	2	transferred to Nagode 1 of those remaining under trial have been committed
115	Dishonest misappropriation of property	403, 404	231	538	89	238	1	1	transferred to Calcutta, 1 to Panda, 1 died, and 1 escaped.
116.	Criminal breach of trust	406, to 409	310	365	147	207	7		
117	Cheating	417 to 120	239	318	160	155	4		
	Malicious offences								
118	Mischief ordinary	426, 427 and 430 to 433	263	433	241	193	1	1	escaped.
119	,, by poisoning or killing animals	428, 429	41	70	25	45	..		
120.	,, by destroying landmarks ..	434	19	34	17	17	..		
121	,, serious by fire	435, 436 and 438	23	48	39	7	2		
122	,, to vessels	437, 439	..	..					
123.	Criminal trespass or house trespass	447, 448	653	1,184	489	685	10		
124	Breaking open closed receptacle	461, 462	91	11	4	7	..		
	TOTAL OFFENCES UNDER CLASS III. ..		18,504	15,409	4,352	10,831	84	142	
	CLASS IV.								
	OFFENCES NOT INCLUDED IN THE ABOVE CLASSES *Other offences against the Indian Penal and Criminal Procedure Codes.*								
125	Belonging to a gang of Thugs	311	..	..	..	...	..		
126	Belonging to a gang of Dacoits	400	..	..	..	..	..		
127	Belonging to a gang of Thieves ..	401	..	9	9	..	..		
128	Criminal breaches of contracts of service	490 to 492	9	21	4	8	..	9	escaped.
129.	Apprehended breaches of the peace separately inquired into	Cr P C Secs. 282 to 288.	5	11	2	9	..		
130.	Vagrancy without ostensible means of livelihood ..	Do ,, 295	55	82	32	3	..		
131.	Bad habit and repute	Do. ,, 296, 297	63	108	61	48	..		
	TOTAL UNDER CLASS IV ..		135	231	127	95	...	9.	
	OTHER OFFENCES AGAINST SPECIAL LAWS *Breaches of Laws relating to—*								
132.	Spirit and drugs	Act XXI. of 1856							
133	Opium	Act XXI of 1856, and Act XIII. of 1857.	512	784	175	606	3		
			73	104	28	75	...	1	escaped.

JUDICIAL STATEMENT B2.—(*continued*).

Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
134. Salt and Saltpetre	Acts XIV. of 1843, XXXVI. of 1855, and XIX. of 1862, as extended by Act VII. of 1864, Act XXXI. of 1861, amended by Act XXXIII. of 1867, and Act XXV. of 1869.	369	693	28	664	—	1 escaped.
135. Stamps	Act XVIII. of 1862.	132	271	58	212	—	1 died.
136. Paper Currency —	Act XIX. of 1861.	..	..	..	..	—	
137. Post Office —	Act XIV. of 1866.	8	10	2	7	1	Committed,
138. Electric Telegraph	Act VIII. of 1860.	1	2	2	.	—	
139. Contagious Diseases — — ..	Act XXII. of 1864, Sec. 19 Clause 7, Act XIV. of 1868.	—	..	..	..	—	
140. Municipalities and Cantonments	Act XVIII. of 1864 (amended by Act XXII. of 1865), Act XV. of 1867, and Act XXII. of 1864.	982	1,463	103	1,360	—	
141. Prisons (only offenders and cases tried by Magistrate) ..	Act XXVI. of 1870, Secs. 45, 49 and 51.	266	305	1	304	—	
142. Forests	Act VII. of 1865.	211	613	91	521	1	
143. Railways..	Act XVIII. of 1854, (amended by Acts XII. of 1860, and XIII. of 1870).	122	181	33	148	—	
144. Stage Carriages	Act XVI. of 1861.	..	—	..	..	—	
145. The Press .. .. .. —	Act XXV. of 1867, Secs. 12 to 16.	..	..	..	..	—	

146.	Gambling	Act III. of 1867	74	563	79	484	—		
147.	Wilful neglect of Magistrate's orders to maintain lunatics ..	Act XXXVI of 1858 Sec. 5.	..	..	.	—	—		
148.	Cattle trespass	Act I. of 1871.	2	4	3	1			
149.	Cannon, Arms, and Ammunition	Act XXXI. of 1960	10	24	5	19	—		
150.	Apprentices —	Act XIX. of 1850, Secs. 13 15.		..	—	.	—		
151.	Certain disputes between workmen on Railway and other Public Works and their employers	Act IX. of 1861, Sec 8.	..	—	—	..	—		
152.	Indian Companies —	Act X. of 1866.	..	..	—	—	—		
153.	Registration .. .. —	Act XX. of 1866.	—	—	—	—	—		
154.	Purchase of soldiers' necessaries ... .. —	Mutiny Act and Act VII of 1867.	3	6	1	5			
155.	Pandhari ... : .. —	Act XIV. of 1867, Sec III Clause 3.	15	15	—	15	..		
156.	Income Tax .. .. —	Act XVI of 1870.	526	580	96	483	..	1 died,	
157.	Volunteers .. .. —	Act XX of 1869, Sec. 29.	..	.	..	—	—		
158.	European Vagrants .. —	Act XXI. of 1869, Secs. 14, 15, 19 to 23 and 25	1	1	—	1	.		
159.	Acquisition of land .. .. —	Act X of 1870, Sec. 52.	—	..	—	..	—		
160.	Indian weights .. .. .. —	Act XI of 1870, Sec. 26.	..	—	—	..	—		
	TOTAL OFFENCES AGAINST SPECIAL LAWS .		3,307	5,619	705	4,905	5	4	
	Total offences under—	Class I.	2,472	4,530	784	3,717	12	17	
		do. II.	8,164	14,745	8,079	6 507	134	25	
		do III.	18,504	15,409	4,352	10,831	84	142	
		do. IV	135	211	127	95	..	9	
		AGAINST SPECIAL LAWS.	3,307	5,619	705	4,905	5	4	
	GRAND TOTAL OF OFFENCES ..		32,582	40,534	14,047	26,055	235	197	

JUDICIAL STATEMENT B3.

STATEMENT showing the general result of Criminal trials in the Tribunals of various classes in the Central Provinces in the year 1870

CLASS OF TRIBUNALS.		Number of persons dealt with: Remaining at end of last year	Brought to trial during present year: By arrest	By summons or recognizance	Received by transfer for trial	Total	Persons disposed of: Discharged without trial	Acquitted.	Convicted	Committed or referred	Died, escaped, or transferred.	Remaining at end of year	Average number of days during which each case lasted	Number of witnesses who attended
Village Officers		..	—		..		—	..	..		..	.	..	..
Unpaid Magistrates		11	3,944	7,223	..	11,178	2,562	2,068	6,480	14	28	26	6	18,081
Local and Subordinate paid Magistrates		64	9,107	6,736		15,907	2,602	2,023	11,171	25	39	47	5	26,863
Full power Magistrates exercising jurisdiction throughout the district ..		34	7,040	2,935	30	10,039	2,103	788	6,589	447	37	76	5	21,455
Magistrates exercising powers within the precincts of Jails..		—	101	175	—	276	..	..	276		..	..	1	47
Chief Magistrates of Districts		6	1,962	542	25	2,535	1,578	85	691	52	91	38	7	3,149
Total Magistracy	1870	115	22,154	17,611	55	(b) 39,935	8,845	4,964	25,206	538	(a) 195	187	5 5	69,095
	1869	174	32,749	20,251	9	53,183	11,808	5,792	34,800	459	266	121	5	82,028
Sessions Courts — Commissioners of Division ..		19	180	..	..	199	—	39	139	..	1	20	56	
Sessions Courts — Deputy Commissioners of Districts ..		6	357	..	..	363	..	98	254	..	1	10	9	..
High Court		..	..	..		..	..	..	..	..	..	..	..	
Grand Total ..	1870	140	22,691	17,611	55	(c) 40,497	8,845	5,101	25,599	538	197	217	5 7	69,095
	1869	234	33,204	20,251	9	53,698	11,808	5,729	34,800	459	271	146	5	82,028

REMARKS.

(a). Includes 7 persons who accepted tender of pardon.

(b). Under Local Rules details are not available for this Statement under the following heads of offence included in Statement B2 *viz* —

Frivolous or vexatious complaints, vagrancy without ostensible means of livelihood, and bad habit and pute.

(c.) This total includes a second time, 537 of the 541 persons shewn to have been "committed" by Magistrates. The remaining 4 committed may not yet have been brought on the files of the Courts of Sessions when the year closed.

JUDICIAL STATEMENT B4.

STATEMENT showing the punishments inflicted by various Criminal Tribunals in the Central Provinces in the year 1870.

Class of Tribunal.	Persons sentenced to													Persons ordered to find or give			Remarks.
		Transportation.			Imprisonment.				Fine.		Whipping						
					Rigorous												
	Death.	For life.	For a term.	Penal servitude.	With solitary confinement	Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Surety of the peace	Recognizance.	Sureties for good behaviour.		
Village officers	..	—	—	..		..	—	..	..	..	..	..	..	..	..		(a) Only 25 of these sentences of death were confirmed by the Judicial Commissioner's Court three of the persons sentenced were acquitted, and in respect of three the sentence was reduced to transportation for life
Unpaid Magistrates	—	—		..	—	1,022	64	..	212	4,971	90	373	..	2	15		
Subordinate and local paid Magistrates	..	..	—	..	..	2,335	66	..	658	6,410	136	2,020	—	—	..		
Full power Magistrates of general jurisdiction	..	..	..	..	76	1,546	155	3	408	3,855	136	1,142	1	9	60		
Chief Magistrates of Districts	..	..	..	.	8	497	30	..	122	364	51	290	1	7	8		(b) In both of these totals 20 persons are included who were sentenced to fine with whipping
Sessions Courts	(a) 31	40	2		.	298	7	..	92	11	4	3	..	..	..		
High Court —	..	..	—	..	..		..	..	..	..	..	..	..	..	..		
Total ..	31	40	2	..	84	5,698	322	3	1,492	(b) 15,641	(b) 417	3,768	2	18	83		

JUDICIAL STATEMENT B5.

STATEMENT showing the result of Appeal and Revision of Criminal Cases in the Central Provinces during the year 1870.

TRIBUNALS.		Number of appellants or persons whose cases were called for by High Court.	Number of Persons. Appeals rejected.	Sentences confirmed.	Sentences modified.	Sentences reversed.	Returned for new trial or for further investigation.	Pending.	REMARKS.
Magistrates of Districts.	Appeals from unpaid Magistrates	319	22	122	38	134	..	3	
	Appeals from paid Magistrates ..	390	30	169	79	107	(a) 2	5	(a) 1 shown again as disposed of, 1 pending.
Sessions Court	From unpaid Magistrates ..	49	3	23	10	11	..	2	
	From paid Magistrates ..	503	70	258	62	82	(b) 1	31	(b) Shown again as disposed of.
From Sessions Court		208	1	134	30	38	..	5	
On Revision by High Court		152	..	39	33	77	(c) 3	..	(c) Cases of all three returned for new trial.

JUDICIAL STATEMENT B11.

STATEMENT showing use of Juries and Assessors in the Courts of the Central Provinces in the year 1870

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts	Established or average number of Jury or Assessors in each case and prescribed qualifications	Number of cases tried by Jury	Number of cases with Assessors	Jury trials: Verdict in favour of the prosecutor or plaintiff	Jury trials: Verdict in favour of the accused or defendant	Jury trials: Jury discharged without verdict	Assessors' trials: Number of cases in which Judges agreed with Assessors	Assessors' trials: Number of cases in which Judges differed from Assessors	Note showing in what classes of cases Juries and Assessors have been principally employed
Criminal Courts.									
Sessions Courts of Deputy Commissioners exercising powers under Section 445 A, Act VIII of 1869	Two Assessors in each case The prescribed legal qualifications are education, character, and age.	..	190	..	..		183	7	Criminal trials by Courts of Sessions
Sessions Courts of Commissioners ..	ditto	..	102	..	..	..	90	12	
Total .. 1870	..	..	292	..	..	..	273	19	
Total .. 1869	..	..	295	..		..	275	20	

No. II.

Statement exhibiting details of the Criminal work of Magistrates in the several districts of the Central Provinces during the year 1870.

DISTRICT.	Persons for disposal. Undisposed of at the close of last year.	Apprehended and attended on summons during the year. Number of persons attending on summons or surrendering on recognizance.	Number arrested.	Received by transfer.	Total.	Number of persons. Discharged. At instance of Police.	After enquiry by Magistrate. In cases requiring formal charge.	In other cases.	Committed.	Convicted.	Acquitted.	Pardoned, died, escaped, or transferred.	Persons under trial at the close of the year. In custody.	On bail or recognizance.	Since the month of More than two months.	November.	December.	Total.	Case. Enquiries. Under Chapter XII, Code of Criminal Procedure.	By Sub-Magistrates under Sections 155 and 180 and Chapter XVI, Code of Criminal Procedure.	In cases triable by Magistrate requiring formal charge.	In cases where no formal charge is required.	Pending.	Trials. Cases in which formal charge is required.	Cases in which no formal charge is required.	Submitted to Magistrate under Section 277, Code of Criminal Procedure.	Pending.	Miscellaneous proceedings, applications, and petitions of every description disposed of.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Nagpur ..	8	2,870	2,297	1	5,176	97	520	642	33	2,989	842	33	1	19	...	..	20	20	19	..	277	293	3	1,029	1,235	18	2	794	*Transfers within the Provinces have been omitted from the transfer columns. Persons so transferred are shown as arrested against the district in which they were eventually "disposed of."
Chanda ..	8	349	1,166	2	1,525	72	240	16	17	1,058	113	4	4	1	1	..	4	5	26	7	109	11	4	399	252	37	..	1,493	
Bhandara .	..	503	914	...	1,417	90	230	35	16	823	217	1	4	1	...	..	5	5	17	..	123	24	3	360	244	13	5	1,354	
Wardha	3	1,065	863	3	1,934	120	240	196	37	996	342	...	3	..	..	...	3	3	23	..	122	100	4	291	525	4	..	323	
Balaghat ..	2	242	375	...	619	21	45	72	13	359	92	1	6	10	..	1	15	16	17	..	17	35	1	134	121	8	1	56	
Jabalpur ...	1	1,491	2,478	1	3,971	132	221	211	60	2,922	396	29	..	..	..	..	..	..	46	...	136	135	..	891	1,259	9	..	201	
Sagar ...	12	1,990	2,580	39	4,621	321	292	559	48	2,823	500	72	2	4	...	..	6	6	32	..	165	250	5	1,092	959	36	..	4,666	
Damoh ...	..	383	841	3	1,227	89	112	58	9	857	93	6	3	..	..	..	3	3	6	..	68	30	2	473	163	1	..	877	
Seoni ...	23	1,174	911	4	2,112	128	112	287	33	1,230	293	4	12	13	...	..	25	25	16	..	68	153	5	294	588	23	2	216	
Mandla ..	..	245	617	...	862	77	134	82	11	444	105	4	..	5	1	...	4	5	8	..	77	42	1	207	122	1	..	810	
Hoshangabad ..	8	1,723	949	...	2,680	33	256	281	55	1,680	370	2	3	...	...	..	3	3	34	..	137	131	3	611	654	3	..	3,533	
Betul ...	2	797	530	...	1,329	35	122	66	15	849	224	10	2	6	..	..	8	8	15	..	61	23	1	323	312	29	1	313	
Nimar ..	25	1,077	1,492	..	2,594	163	329	291	39	1,395	308	18	50	1	..	49	2	51	21	...	182	155	3	428	802	2	...	536	
Narsinghpur ..	11	1,459	1,200	2	2,672	79	327	131	44	1,609	457	3	19	3	..	.	22	22	34	...	178	85	7	675	657	16	1	1,051	
Chhindwara ...	...	347	884	...	1,231	19	95	36	19	938	120	3	...	1	..	..	1	1	10	...	51	17	..	323	267	12	1	888	
Raipur ..	..	617	1,933	...	2,550	74	176	66	31	2,001	199	..	1	2	.	...	3	3	17	1	107	34	..	694	561	2	2	1,658	
Sambalpur ..	...	522	646	...	1,168	84	74	74	22	830	80	1	..	3	.	...	3	3	17	...	29	39	..	252	277	15	..	577	
Bilaspur ...	10	580	1,311	..	1,901	129	325	43	35	1,170	187	4	4	4	..	..	8	8	37	..	157	25	..	455	339	51	4	1,110	
Upper Godavari ...	2	177	167	..	346	14	34	38	1	233	26	.	...	...	..	..	...	..	1	...	16	18	..	52	107	..	..	335	† Two of the persons convicted by Sub-Magistrates in these cases were acquitted by the Magistrate to whom they were referred for sentence and therefore do not appear in the Punishment Statement No. III.
Total ... 1870	115	17,611	22,154	* 55	‡39,935	1,777	3,884	3,184	538	25,206	4,964	*195	114	73	2	50	135	187	396	8	2,080	1,600	8	8,983	9,444	‡280	19	20,791	
Total ... 1869	174	19,147	33,853	9	53,183	2,918	5,019	3,871	459	34,800	5,729	266	65	56	5	9	107	121	329	16	2,451	1,807	6	14,319	8,885	547	14	26,047	

†The following persons, shown as for disposal in Local Statement No. I. are under Local rules omitted from this Statement, viz.:
188 Persons dealt with for bad livelihood.
383 Do. frivolous complaints.
246 Do. maintenance of wives and children.
2 Do. security to keep the peace.
819 Total

No. III.

Statement exhibiting the degrees of punishment inflicted by Magistrates in the several Districts of the Central Provinces during the year 1870.

DISTRICT.	Transportation for 7 years.	Imprisonment. 7 years and under. Rigorous.	Simple.	With fine.	With whipping.	2 years and under. Rigorous.	Simple.	With fine.	With whipping.	6 months and under. Rigorous.	Simple.	With fine.	With whipping.	2 months and under. Rigorous.	Simple.	With fine.	With whipping.	15 days and under. Rigorous.	Simple.	With fine.	With whipping.	Whipped and fined.	Whipping. Only. Adults	Juveniles.	Total number whipped	Total number of stripes.	Solitary confinement.	Fine only.	Fine. Above 1,000 rupees.	1,000 rupees and under.	200 rupees and under.	50 rupees and under.	5 rupees and under.	Total Amount of Fines. Imposed.	Realized. On account of former periods.	On account of period under report.	Applied in compensation under Section 44, Code of Criminal Procedure. Ordered.	Paid. On account of former period.	On account of period under report.	Persons Find security for good conduct for. More than one year.	One year or under.	To keep the peace.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	42
Nagpur ...	...	2	...	...	...	62	...	7	12	186	3	30	48	426	2	36	4	159	30	55	6	..	246	23	339	4,647	14	2,048	..	1	7	394	1,774	11,513	85	9,602	821	11	439	...	11	1
Chanda ..	...	..	...	..	...	23	...	4	2	109	...	12	2	200	4	66	2	57	14	16	...	..	147	14	167	1,990	...	490	...	...	1	65	522	2,097	90	1,778	220	13	111	..	1	..
Bhandara ...	..	...	..	...	..	19	..	2	1	63	..	1[illegible]	7	110	1	31	3	60	6	22	...	..	131	11	153	1,630	1	420	...	..	3	117	371	3,013	141	2,639	208	...	184	...	2	..
Wardha ...	..	2	...	2	...	16	..	13	1	40	1	12	1	57	2	17	3	62	12	27	...	..	59	7	71	897	2	738	...	2	10	202	595	6,312	208	5,324	1,615	53	712	..	3	...
Balaghat ..	..	...	...	..	...	6	..	1	2	24	..	8	1	54	1	34	..	12	..	3	...	...	82	4	92	1,278	...	176	...	..	2	61	159	1,666	32	1,609	248	..	219	...	..	..
Jabalpur ...	...	...	..	...	...	73	..	28	30	192	1	55	30	287	26	59	11	103	18	23	..	1	348	21	441	6,973	42	1,852	..	1	21	315	1,681	10,923	131	8,926	1,718	..	1,032	1	10	.
Sagar ..	..	6	...	...	1	73	2	28	17	165	4	39	24	185	8	41	12	77	34	35	..	8	416	31	509	7,442	..	1 814	...	3	10	486	1,466	13,523	2	9,324	1,359	35	408	..	2	..
Damoh ..	..	..	...	...	...	33	...	2	3	158	...	10	17	104	3	9	1	77	3	5	..	..	244	7	272	3,240	2	228	...	..	2	96	156	1,714	52	1,335	135	42	26	..	19	...
Seoni ...	...	...	...	...	..	19	...	10	5	85	3	23	16	60	6	26	1	32	..	10	...	1	127	7	157	2,390	...	890	...	..	10	310	642	7,379	268	6,281	174	7	122	...	3	..
Mandla ...	..	..	..	..	..	10	...	6	...	56	1	15	..	74	12	27	...	30	7	19	..	..	88	2	90	990	...	164	...	...	...	58	173	1,337	106	1,102	86	...	69	..	..	..
Hoshangabad ...	..	...	..	..	..	40	1	12	2	94	...	16	2	122	5	28	6	52	6	15	..	1	175	14	200	1,774	...	1,170	..	4	11	278	949	9,750	659	8,082	1,369	..	1,258	...	3	..
Betul ...	..	...	...	...	...	35	...	..	..	87	...	15	3	85	7	28	3	18	11	13	..	..	114	...	120	1,488	4	492	...	..	3	172	371	4,829	47	4,218	231	29	179	..	6	..
Narsinghpur (a) ...	...	1	..	..	1	51	...	15	10	117	..	36	7	137	8	42	1	92	6	15	1	..	114	14	148	1,937	16	1,066	..	..	8	298	868	7,109	333	6,317	567	1	341	..	7	..
Nimar ...	...	3	..	..	...	23	..	5	1	55	1	4	2	72	5	4	2	25	12	..	...	..	83	22	110	1,236	...	1,094	2	1	9	221	874	5,584	18	5,406	279	17	205	..	7	..
Chhindwara ...	..	...	..	..	...	10	...	1	..	48	...	17	6	62	1	19	1	29	6	10	..	...	123	25	155	1,982	2	629	..	...	4	106	566	3,620	33	3,437	542	125	263	..	6	..
Raipur ..	..	...	...	..	...	20	...	13	6	129	...	27	27	162	5	23	12	42	14	9	..	9	432	32	518	6,202	1	1,156	...	1	4	277	955	8,392	155	6,704	401	2	193	1	...	..
Sambalpur ...	...	...	...	...	...	16	..	5	...	54	1	12	8	66	2	27	6	15	11	8	1	...	246	1	262	3,347	..	418	...	..	10	140	320	4,251	413	3,261	895	25	518	...	...	...
Bilaspur ...	..	...	...	..	..	36	...	9	7	94	1	15	7	93	3	31	4	25	3	14	...	...	342	6	366	7,364	..	567	...	...	6	152	478	4,114	165	3,897	170	3	65	...	3	1
Upper Godavari ..	...	..	..	...	...	1	..	1	..	20	..	16	1	4	...	4	...	1	2	2	..	...	7	...	8	123	..	194	...	...	2	57	162	1,276	136	1,077	103	...	135	...	.	...
Grand Total 1870	...	14	..	2	2	566	3	162	99	1,776	16	382	212	2,100	101	552	72	968	195	301	8	20	3,524	241	(b) 4,178	56,999	84	15,610	2	13	127	3,805	13,082	1,08,400	3,074	90,379	11,201	363	6,482	(c) 2	(c) 83	(d) 2
Grand Total 1869	...	56	..	13	2	821	3	266	134	2,803	41	591	355	3,490	155	821	162	1,039	290	299	25	21	9,266	403	10,368	135,030	52	13,316	1	22	140	4,195	12,969	1,25,472	3,986	95,844	14,115	793	7,290	1	69	9

No. IIIA.

Statement showing the extent of the application of the Whipping Act in the Central Provinces during 1870.

Section of the Whipping Act applicable.	Description.	Persons. Total number convicted. First conviction.	Subsequent conviction.	Total.	Whipped. In lieu of or in addition to other punishment	Number. Up to 10 stripes.	From 11 to 20 do.	From 21 to 30 do.	Total.
Sections II. and III. ...	Adults ..	7,971	915	8,886	In lieu of ..	1,353	1,549	379	3,281
					In addition to...	52	236	108	396
Section IV. ...	Adults ...	10	14	24	In addition to...	...	6	...	6
Sections III., IV., and V. ..	Juveniles ..	301	16	317	In lieu of ...	202	36	2	240
					In addition to ..	..	1	..	1
Total ...	... 1870	8,282	945	9,227	Total .. 1870	1,607	1,828	489	3,924
	1869	..	...	18,283	1869	4,642	4,612	882	10,136

No. IV.

Statement exhibiting the detention of Witnesses before Magistrates in the Central Provinces during the year 1870.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Number of witnesses discharged after												
DISTRICT.	1 day.	2 days.	3 days.	4 days.	5 days.	6 days	7 days.	8 to 10 days.	11 to 15 days.	16 days and upwards.	Total.	Undischarged at the close of the year.	REMARKS.
Nagpur ...	8,451	1,189	266	17	...	..	...	...	..	...	9,923	...	
Chanda ...	2,968	172	44	7	4	...	..	6	..	..	3,201	..	
Bhandara ...	2,398	178	24	6	3	..	...	...	..	..	2,609	...	
Wardha ...	3,069	251	83	14	2	6	..	...	..	..	3,425	3	
Balaghat ..	966	59	26	18	..	...	..	...	..	...	1,069	..	
Jabalpur ...	6,434	374	71	6	...	..	..	...	..	..	6,885	..	
Sagar ...	4,792	388	122	28	2	3	..	...	..	...	5,335	...	
Damoh ..	2,031	121	14	10	...	...	...	...	..	...	2,176	..	
Seoni ...	2,396	247	66	33	21	5	4	4	...	...	2,776	..	
Mandla ...	1,184	320	98	54	2	2	4	.	..	.	1,664	..	
Hoshangabad ...	4,014	565	214	55	44	9	...	7	5	...	4,913	..	
Betul ...	2,736	312	33	...	..	...	...	...	..	...	3,081	...	
Narsinghpur ...	4,709	609	71	30	..	9	2	8	..	...	5,438	..	
Nimar ...	3,229	389	63	3	...	..	..	...	...	..	3,684	...	
Chhindwara ...	2,373	225	92	11	...	..	..	...	..	.	2,701	..	
Raipur ...	3,593	182	62	16	7	5	5	20	..	2	3,892	..	
Sambalpur ...	1,536	120	10	14	..	...	...	...	..	...	1,680	..	
Bilaspur ...	3,530	371	137	65	2	..	..	...	..	..	4,105	..	
Upper Godavari	455	71	2	10	...	...	..	..	..	...	538	...	
Total.. 1870...	60,864	6,143	1,498	397	87	39	15	45	5	2	69,095	3	
Total.. 1869...	69,276	8,651	2,435	820	367	140	123	142	62	12	82,028	2	

No. V.

Statement of Appeals from sentences by the Criminal Courts in the Central Provinces during the year 1870.

1	2	3	4	5	6	7	8	9	10
APPELLATE COURTS.	Total for disposal.	Rejected. As inadmissible.	Rejected. As untenable.	Orders modified.	Orders reversed.	Returned for further enquiry.	Pending at the close of the year.	Date of oldest pending case.	REMARKS.
Sadar Court ..	208	1	134	30	38	..	5	20th Dec. 1870	Average duration 15 days.
SESSIONS COURTS.									
Nagpur Division.	136	11	72	21	24	..	8		" 10 "
Jabalpur ..	115	22	44	12	21	...	16	31st Aug. 1870.	" 88 "
Narbada ..	283	39	154	38	44	1	8	15th Dec. 1870	" 14 "
Chhattisgarh ..	18	1	11	1	4	...	1	16th Do.	" 12 "
MAGISTRATES OF DISTRICTS.									
Nagpur ..	44	...	20	13	11	..	..		
Chanda .	21	1	12	1	7	..	...		
Bhandara ..	10	1	7	1	1	...	...		
Wardha ..	26	..	11	6	9	..	..		
Balaghat ...	3	...	1	..	2	...	...		
Jabalpur ..	68	...	25	18	25	..	...		
Sagar ..	82	21	23	..	36	...	2	21st Dec. 1870.	
Damoh ..	8	..	4	2	2	...	..		
Seoni ..	24	..	4	10	8	...	2	22nd Dec. 1870	
Mandla ..	17	..	4	11	2	..	..		
Hoshangabad ..	42	1	24	1	16	...	..		
Betul ...	68	...	31	14	21	..	2	Not given	
Narsinghpur ...	182	10	84	16	72	..	..		
Nimar ...	32	...	18	4	10	...	...		
Chhindwara ..	31	17	1	10	1	1	2	15th Dec. 1870	
Raipur ..	17	..	6	4	7	1	...		
Sambalpur ..	1	...	..	1	..	..	..		
Bilaspur ...	30	1	14	4	11	..	...		
Upper Godavari.	3	...	2	1	...	...	..		
TOTAL. 1870	1,469	126	706	219	372	3	46	31st Aug. 1870.	
TOTAL. 1869	1,290	108	671	174	285	..	52	30th Jan. 1869	

No. VI.

Statement of Cases in which European British Subjects were charged with offences in the Central Provinces during the year 1870.

DISTRICT.	Inquiries by Justice of the Peace, under Section 41, Code of Criminal Procedure.				Trials by Justice of the Peace under Section 42, Code of Criminal Procedure.		
		Persons.			Persons.		
		Committed to High Court.					
	Cases.	Released.	In Custody.	On Bail.	Cases.	Acquitted.	Convicted.
1	2	3	4	5	6	7	8
Nagpur	...	...	..	..	3	...	3
Wardha	..	...	...	...	2	1	1
Jabalpur	3	..	5	...	36	11	25
Sagar	...	...	...	..	11	7	4
Seoni	...	...	...	..	2	...	2
Hoshangabad	..	...	...	..	13	7	9
Nimar	...	..	...	..	20	3	18
Chhindwara	...	...	...	...	1	...	1
Narsinghpur	1	...	1	..	6	5	2
Raipur	...	...	..	..	2	..	2
Upper Godavari	...	..	...	...	3	...	3
Total .. 1870	4	..	6	...	99	34	70
Total .. 1869	5	4	2	1	38	11	32

No. VII.A.

Statement showing duration before Magistrates in the several Districts of the Central Provinces of cases sent in by the Police during the year 18 0

1	2													3	4	5	6	7
District	Number of cases decided within days—													Total number of cases.	Average duration of each case.	Number in which a remand was granted.	Number in which further evidence was called for.	Number against whom a different crime was found
	1	2	3	4	5	6	7	8 to 14.	15 to 21	22 to 30.	31 to 60	61 to 10.	101 to 120					
Nagpur ..	908	143	111	64	31	12	11	43	7	1	..	..	..	1,337	2·0	130	101	168
Chanda ..	433	45	19	15	9	6	5	22	15	7	1	..	..	577	2·5	17	61	100
Bhandara ..	248	55	16	7	3	2	5	17	4	..	..	..	.	357	2·1	21	13	69
Wardha .	239	40	21	6	6	8	7	14	3	1		.	..	345	2·9	14	31	35
Balaghat ..	110	16	4	6	3	4	1	7	1	1	..	..	.	153	2·1	2	16	36
Jabalpur ..	1,125	106	33	22	11	6	2	16	3	..	..	.	..	1,329	1·4	24	55	58
Sagar ..	1,005	130	73	29	20	18	6	43	12	4	3	1	..	1,344	2·8	73	74	72
Damoh .	431	48	18	12	2	3	2	5	2	1	1	..	..	525	1·5	19	20	30
Seoni ..	203	81	20	25	13	10	3	19	3	1	3	.	1	332	3·1	63	44	15
Mandla ..	147	58	9	9	2	4	4	13	3	1	3	..	..	253	2·7	42	26	45
Hoshangabad ..	326	120	48	17	16	11	19	27	4	4	5	..	..	603	2·8	37	41	80
Betul ..	141	51	19	19	16	22	9	22	9	3	5	..	..	316	4·1	19	97	38
Narsinghpur .	374	128	50	31	25	20	17	83	22	8	2	1	..	761	3·7	67	144	85
Nimar ..	526	75	15	15	13	5	3	10	2	3	2	.	..	660	1·7	22	20	18
Chhindwara .	349	23	9	10	8	8	1	14	3	2	.	..	..	432	1·9	23	24	67
Raipur ..	678	52	23	18	17	13	3	25	8	1	3	..	..	841	1·9	20	67	195
Sambalpur ..	244	35	4	3	1	13	...	4	4	..	1	..	..	310	1·9	30	9	25
Bilaspur ..	320	74	20	5	14	13	5	44	21	6	9	1	..	541	3·9	60	107	198
Upper Godavari ..	51	14	3	..	2	1	1	4	..		..	—	...	76	2·1	7	3	30
Total .. 1870	7,858	1,309	529	313	212	179	104	438	126	44	38	3	1	11,154	2·3	693	953	1,374
Total .. 1869	11,562	2,044	991	447	250	199	147	574	183	88	58	29	2	16,493	2·4	730	1,031	2,142

No. VII.B.

Statement showing duration of cases instituted directly before the Magistrates in the several Districts of the Central Provinces during the year 1870.

1	2					3	4
District.	Number of cases disposed of within days—					Total number of cases.	Average duration of each case.
	1 to 7.	8 to 14	15 to 21.	22 to 30.	Above 30 days		
Nagpur	1,095	426	99	33	6	1,659	7·1
Chanda	155	65	26	16	11	273	9·8
Bhandara	250	144	31	6	1	432	7·5
Wardha	398	247	61	20	8	734	8·2
Balaghat ...	69	54	28	11	17	179	13·7
Jabalpur	914	209	42	9	5	1,179	5·7
Sagar	766	335	95	32	8	1,236	7·2
Damoh	152	85	18	9	2	266	7·9
Seoni	399	226	85	45	23	778	9·6
Mandla .. .	107	70	21	8	8	220	9·0
Hoshangabad	586	272	75	41	19	993	8·1
Betul	173	187	63	32	13	468	10·7
Narsinghpur	312	376	138	64	24	914	11·4
Nimar	526	271	71	23	21	912	7·9
Chhindwara	127	95	26	12	7	267	9·2
Raipur	408	113	44	21	5	591	6·6
Sambalpur	252	63	13	6	2	336	5·4
Bilaspur	208	170	90	42	33	543	12·7
Upper Godavari	78	27	14	2	..	121	6·8
Total. 1870	6,975	3,441	1,040	432	213	12,101	8·3
Total. 1869	6,416	3,714	1,203	555	378	12,266	9

No. VIII.

Statement of cases and persons tried in the Courts of Sessions in the Central Provinces during the year 1870.

In the Court of Session of the	Under trial at the close of the year.		Committed to Sessions Court during the year.		Total number of persons under trial.	Disposed of.			Under trial at the close of the year.			Average duration of decided cases.	Longest period any decided case was pending.	Date of commitment of oldest case pending.
	Cases.	Persons.	Cases	Persons		Convicted.	Acquitted.	Died, escaped, or transferred	Cases.	Persons. In custody.	Persons. On bail			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Commissioner														
Nagpur Division ...	2	2	21	31	33	25	7	..	1	1	..	36	130	8th Octr. 1870.
Jabalpur " ..	8	11	25	48	59	51	6	1	1	1	...	76	278	4th July 1870.
Narbada " ...	3	4	41	69	73	38	18	..	8	17	..	56	166	22nd Aug. 1870.
Chhattisgarh " ..	2	2	23	32	34	25	8	.	1	1	...	50	144	20th Decr. 1870.
Deputy Commissioner.														
Nagpur District ...	...	..	16	30	30	25	5	..	..	..	...	11	28	
Chanda " ..	...	..	3	4	4	1	3	..	..	...	...	22	47	
Bhandara " ...	..	..	9	11	11	8	3	..	..	..	...	2	7	
Wardha " ..	..	..	20	30	30	17	13	..	..	..	..	14	36	
Balaghat " ...	...	...	3	9	9	5	4	..	..	..	..	9	..	
Jabalpur " ..	1	2	27	50	52	34	18	...	..	..	...	12	47	
Sagar " ...	..	..	19	32	32	27	3	1	1	1	...	37	12	9th Decr. 1869
Seoni " ..	2	2	14	17	19	17	1	..	1	..	1	16	2	29th "
Mandla " ...	..	..	7	10	10	9	1	..	..	..	..	16	39	
Hoshangabad " ..	..	..	20	33	33	18	15	..	..	..	...	14	53	
Betul " ...	...	...	12	13	13	11	1	..	1	..	1	11	...	24th Decr. 1869.
Narsinghpur " ..	..	..	14	19	19	9	8	..	2	2	..	13	..	
Nimar " ...	2	2	8	12	14	8	6	..	...	..	..	10	...	
Chhindwara " ..	..	..	5	10	10	9	1	..	..	..	..	12	..	17th Decr. 1870.
Raipur " ...	..	..	12	37	37	32	4	..	1	1	..	9	30	
Sambalpur " ..	..	..	10	11	11	8	3	..	..	..	..	8	...	
Bilaspur " ...	..	...	19	27	27	14	9	..	1	4	...	6	..	
Upper Godavari " ..	..	..	2	2	2	2	..	..	...	..	...	3	...	
Total ... 1870...	20	25	332	537	562	393	137	2	18	28	2	25	278	
Total ... 1869...	25	60	271	456	516	380	106	5	20	24	1	27	235	

Statement No. X. (Criminal.) *continued*

Period of employment.		Name and designation of Officer.	Criminal. Number of cases disposed of	Average duration of Police cases.	Average duration of Other cases.	Percentage of persons convicted or committed to persons for disposal	Percentage of witnesses discharged in one day to total number summoned.
		SAGAR *(Continued)*					
5	...	Rajai Dube, H. M. ..	76	1·8	6·7	48	99
5	..	Kedar Nath, H. M.	33	3·3	5	59	100
5	...	Ramchand Rao, H. M. ...	40	1·2	44	76	100
		DAMOH.					
12	...	Capt C H Grace, D. C. ...	89	1·5	8·2	36	89
11	...	Munshi Aulad Husen, A. C. ...	144	2·0	10·0	67	87
1	...	W A. Nedham, Esq. A. C. ...	13	1·4	6·0	82	79
12	...	Takhat Singh, T. ...	151	1·2	8·6	86	98
12	...	Amir Khan, T. ...	250	1·4	5·8	81	98
10	...	Mr. T. King, J. M. ..	6	...	6	100	100
12	...	Thakur Seolal, H. M. ..	76	1·5	6·9	60	91
12	...	Nagoji Ballal, H. M. ..	62	1·3	7·4	70	99
		SEONI.					
12	...	S. Brooke, Esq., D. C. ..	16	6	21	14	39
12	...	J. P. Goodridge, Esq. A. C. ..	78	4	7	49	83
12	...	Ali Husen Khan, E. A. C. ...	254	5	17	69	77
12	...	Dr. J. F. Barter, J. M. ..	7	...	1	100	...
12	...	Balwant Rao, T. ...	158	3	6	44	91
12	...	Mohammad Abdulla, T. ...	165	2	13	75	96
12	...	Mirza Ali, T. ...	203	2	12	78	87
12	...	Mohammad Imam Khan, H. M. ...	132	1	6	57	100
12	...	Mohammad Ahmed Khan, H. M. ...	147	2	5	44	94
		MANDLA.					
12	..	Major J. C. Wood, D. C. ...	59	7·4	17·0	23	42
7	10	Mr. Nobin Kisto Bos, E. A. C. ...	127	1·8	9·2	57	84
4	6	T. L. Crawley, Esq., E. A. C. ..	34	2·7	15·7	45	74
12	...	Kabiruddin Husen, T. ...	106	2·2	8·0	62	75
12	...	Muksud-ul-Husen, T. ..	97	2·5	8·9	77	81
12	...	Dr. H. A. Kidd, H. M. .	18	1·0	6·0	17	1
12	...	Lachhmi Parshad, H. M. .	30	1·3	5·8	35	1
		HOSHANGABAD.					
8	21	Lieut.-Col. J. B. Dennys, D. C. ..	10	6	1	70	100
3	9	Capt. C. H. Plowden, O. D. C. ...	3	...	9	75	100
8	16	J. H. MacGeorge, Esq., A. C. ...	66	4	6	60	92
7	12	Capt. T. W. Hogg, A. C. ...	232	4	12	66	57
9	..	Capt. H. H. Hallett, A. C. ..	7	2	2	100	100
4	6	R. Logan, Esq., A. C. ...	15	2	1	83	100
11	7	H. L. Dennys, Esq., E. A. C. ...	38	4	12	50	82
12	...	Liladhar, O. E. A. C. ..	291	3	8	75	83
1	27	Sultan Ali, E. A. C. ...	21	2	7	64	83
12	...	Dr. P. Cullen, J. M. ...	69	...	1	100	100
12	...	Ram Dayal, T. ...	78	2	13	58	94

Statement No. X.—(Criminal.) *continued.*

Period of employment.		Name and designation of Officer.	Criminal. Number of cases disposed of.	Average duration of Police cases.	Average duration of Other cases.	Percentage of persons convicted of committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
Months	*Days.*	HOSHANGABAD *(Continued).*					
12	...	Mohammad Ali, T. ..	43	1	3	71	100
3	28	Ajodhya Parshad, T. .	28	7	26	71	98
7	7	Seo Lal Dube, T. ...	112	2	11	58	89
12	...	Vinayak Rao, H. M. ..	214	2	7	73	65
12	...	Tulsi Ram Sukal, H. M. ...	58	1	8	73	100
12	...	Roshan Ali, H. M. ..	38	1	4	65	84
12	...	Raja Chatar Shah, H. M. ...	41	3	8	44	100
12	...	Raja Daryao Singh, H. M. ..	29	...	7	44	80
12	...	Raja Kishor Singh, H. M. ...	34	..	7	65	96
12	...	Nandram, H. M. ..	42	2	7	82	100
7	...	Prag Chand Chaudhri, H. M. ..	56	1	12	31	98
12	...	Kalu Ram Mandloi, H. M. ..	29	...	7	27	100
12	...	Dalpat Chaudhri, H. M. ...	26	..	4	57	100
12	..	Umrao Singh Barkui, H. M. ..	22	..	10	70	100
2	...	Raja Kamran Shah, H. M. ..	6	...	7	60	100
		BETUL.					
6	8	Lieut.-Col. H. F. Waddington, D. C. ..	99	7	11	62	81
5	23	Major C. L. R. Glasford, D C. ...	19	2	12	19	67
12	...	Pandit Gopal Rao, E. A. C. ..	102	7	13	64	81
4	5	Ram Charn Lal, T. ..	79	3	8	79	88
7	26	Ajodhya Parshad, T. ..	287	4	12	68	96
12	..	Kali Charn, T. ...	168	2	10	68	93
12	...	Khwajeh Vilait Husain, H. M. ..	35	14	10	51	100
12	...	Teji Singh, H. M. ...	6	..	10	29	100
		NARSINGHPUR.					
1	9	Capt. C. H. Plowden, O. D. C. .	2	...	10	9	...
7	6	Capt J. L. Loch, O. D. C. ..	1	1	...	..	.
2	19	J. F. Beddy, Esq., O. D. C. ..	12	1	10	24	91
..	26	Capt. R. M. B. Thomas, O D. C. ...	2	1	...	50	100
2	14	T. E. Ellison, Esq. A. C. ..	89	6	11	45	84
...	16	F. St. C. Williams, Esq., E. A. C. ...	19	2	6	68	100
12	...	Nobin Chandar Banerji, E. A. C. ..	449	4	8	63	76
2	..	Dr. J. S. Ratton, J. M. ..	4	...	1	100	...
10	..	Dr. Wright, J. M. ..	2	..	1	100	..
11	4	Vyankat Rao, T. ..	45	2	7	79	90
4	18	Seolal Dube, T. ..	50	6	9	73	18
7	12	Ram Charn Lal, T. ...	90	5	9	75	66
5	..	Kishori Lal, T. ..	33	4	9	67	100
7	..	Bansidhar, T. ...	57	2	8	63	98
..	13	Irshad Ali, T. ..	5	1	...	30	100
12	..	Raja Futeh Singh, H. M. ...	50	1	10	70	100
12	...	Raja Nizam Shah, H. M. ..	26	2	6	94	96
10	25	Raja Surat Singh, H. M. ...	28	2	29	60	100
12	..	Rao Surat Singh, H. M. ..	67	7	11	68	95
12	..	Chaudhri Beni Singh, H. M. ...	78	2	7	66	100
12	..	Bhopal Singh, H. M. ..	163	1	10	67	95
12	...	Pemnarayan, H. M. ...	403	2	15	53	98

Statement No. X.—(Criminal.) *continued.*

Period of employment.		Name and designation of Officer.	Criminal.				
			Number of cases disposed of	Average duration of		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases.	Other cases.		
Months.	*Days.*	**NIMAR.**					
6	28	Capt. J. Forsyth, D. C. ..	55	2	6·4	56	85
4	21	Capt. J. L. Loch, O. D. C. ...	12	1·8	8	43	59
..	23	A. B. Ross, Esq., ..	17	2·7	4	17	87
8	10	Capt. E. W. C. H. Miller, A. C. ..	129	3·2	8	51	94
4	28	A. B. Ross, Esq, A. C. ..	18	1	6·5	52	100
1	2	Capt. C. H. Plowden, A. C. ...	5	2	3·3	48	..
5	4	L. Neill, Esq, A. C. ..	6	1	5	25	100
12	..	Capt. H. Ross, A. C. M. ...	250	1·1	8	81	98
3	1	J. Lloyd, Esq., E. A. C. ..	8	..	7·1	17	..
3	5	Nobin Kisto Bos, Esq., E. A. C. ..	53	1·5	6·5	62	76
11	16	Zainul Abdin Khan, E. A. C. ..	2	..	1	100	...
3	5	Madho Rao, O. E. A. C. ..	25	6·3	16·2	41	100
8	25	Madho Rao, T. ..	137	1·8	7·5	58	96
4	...	Balwant Rao, Dhond-deva, T. ..	96	1·7	12·1	25	91
12	...	Govind Rao Ganesh, T. ..	28	3	9·6	49	100
8	...	Balwant Rao Dhond-deo, T. ...	33	2·6	9·1	58	76
4	..	Balwant Rao Gangadhar, T. ..	25	2·4	7·4	32	81
12	...	Har Narayan Mandloi, H. M. ..	275	1·2	7·5	54	96
12	..	Kazi Aziz-ul-Rahiman, H. M. ..	186	2·7	6·3	55	79
12	...	Abdul Gani, H. M. ..	111	1·7	4·7	61	89
12	..	Govind Rao Bhuskute, H. M. ..	71	1·1	8·1	57	54
12	..	Rao Sirdar Singh, H. M. ..	48	1·2	7·2	77	91
		CHHINDWARA.					
9	...	Major E. M Playfair, D. C. ..	43	3	10	44	61
3	...	J. MacGeorge, Esq, O. D. C. ..	10	2	4	51	57
12	..	Lieut F. B. Morris, A. C. ..	170	1	8	71	92
3	.	Mir Sultan Ali, E. A. C. ...	5	3	28	30	71
10	..	R. Logan, Esq, A. C. ..	14	1	5	71	100
12	...	Amrit Rao, T. ...	215	2	12	79	90
9	22	Ghulam Mohammad Khan, T. ..	127	1	11	91	87
2	9	Amir Khan, O. T. ..	18	1	8	84	92
12	..	Pokhar Das, H. M. ..	46	1	4	77	97
12	..	Ganpat Rao, H. M. ..	25	...	7	53	100
12	..	Mr. G. Price, J. M. ..	26	..	1	100	..
		RAIPUR.					
3	13	J. W. Chisholm, Esq., O. D. C. ...	1	1	..	2	100
7	15	Capt. H. I. Lugard, O. D. C. ..	5	..	2	9	100
...	27	Capt. J. A Temple, A. C. ..	2	1	2	100	100
10	13	Maulawi Ashfak Husen, E. A. C. ..	443	2	7	81	94
12	..	Mr. Bireshwar Datt, E. A. C. ...	19	6	7	86	74
1	12	Munshi Bukhtawar Singh, E. A. C. ..	28	2	2	87	70
12	..	D. Sinclair, Esq., E. A. C. ..	209	1	6	90	93
4	8	T. Crawley, Esq., E. A. C. ..	64	1	8	89	92
12	..	Yakub Ali, T. ..	5	1	7	100	100
11	22	Mohammad-ul-Husen, T. ...	201	2	10	86	98
3	23	Hira-lal, T. ..	116	1	8	89	91
4	17	Ajodhya Parshad, T. ..	48	2	8	72	93
6	26	Mafuz ul-Bari, T. ..	89	1	7	89	99

Statement No. X—(Criminal.) *continued.*

Period of employment.		Name and designation of Officer.	Number of cases disposed of.	Average duration of		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases.	Other cases		
Months.	*Days.*						
		RAIPUR (*Continued*)					
2	4	Mamtazim-ud-din, T ..	9	1	5	80	100
4	14	F. R. Blewitt, Esq., H. M. ..	40	3	7	54	58
10	..	Ragnupat Rao, H. M ..	93	4	6	70	95
10	8	Mahadu Diwan, H M. ..	30	1	5	56	94
12	...	Raja Umrao Singh, H M. ..	1	8	..	100	100
6	..	Raja Padam Singh, H. M ..	12	12	8	91	73
9	...	Dr D W. Trimnel, J. M. ..	17	..	1	100	...
		SAMBALPUR					
11	17	Captain M M. Bowie, D. C. ..	80	2	5	44	82
..	14	Captain M. M. Bowie, A. C. ..	10	1	3 3	80	100
7	29	A. M. Russel, Esq., A. C. ..	198	2 3	5 2	87	98
12	..	J. E. Harrison, Esq.,J. M. ..	28	..	1	100	..
12	...	Balmukund Patnaik, T ..	187	1 4	7·4	87	89
12	..	Sattyabadi Parhi, T. ..	143	2·5	6·1	61	91
		BILASPUR.					
9	8	Captain J. Ducat, O. D. C. ..	13	2 2	8·7	8	75
1	18	J. F. Beddy, Esq., O. D. C. ...	..	...	..	...	100
11	4	Captain W. L. Noverre, A. C. ..	149	4 0	13 8	54	83
10	...	Mr. Babu Sinath Bos E. A. C. ...	178	6 1	15 2	70	81
2	27	Munshi Gur Parsad, E. A. C. ..	4	1·5	12·	50	77
5	15	Seodayal Singh, T. ..	69	5·5	11·5	57	98
6	16	Mamtazim Uddin, T. ..	86	4 1	8 7	50	100
12		Abdul Subhan, T. ..	301	3 1	10 5	71	86
10	14	Krishna Rao, T. ...	185	2 7	15 1	74	87
1	6	Kasi Parsad, T. ..	18	1·7	10 4	87	93
12	...	Lackhmi Das, H. M. ...	38	2 3	5 8	85	88
5	23	Bhup Singh, H. M ..	3	..	4 3	50	100
12	..	Raghunath Singh, H M. ..	1	...	1	100	100
12	...	Bishnath Singh, H. M. ...	4	..	96·7	78	77
12	..	Durga Datt Shastri, H. M. ..	14	1·6	9 5	66	100
		UPPER GODAVARI.					
20	...	J. F. Beddy, Esq, O. D. C. ...	3	6 3	..	67	..
11	11	Lieut.-Col. J. Ashburner, D C. .	26	2	4 1	36	...
12	..	J. B. Gaffney, Esq., A D. C. ...	73	2 3	4·3	70	100
10	...	J Hornby, Esq., E. A. C. ...	93	1·4	9 7	75	..
8	17	J. G H. Glass, Esq., S. M ..	2	..	3 5	50	...

REPORT

ON THE

Judicial Administration

(Criminal)

OF THE

CENTRAL PROVINCES

FOR

THE YEAR 1871.

NAGPUR:

PRINTED AT THE CHIEF COMMISSIONER'S OFFICE PRESS.

1872.

No. 2942
1109

FROM

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces,

TO

THE REGISTRAR, JUDICIAL COMMR'S. COURT,

Central Provinces,

Dated Nagpur, the 17th August 1872.

SIR,

I am directed to acknowledge the receipt of the Judicial Commissioner's Report on the administration of Criminal Justice during the year 1871, and am now to communicate the Chief Commissioner's remarks on what seem to him the most noticeable features of the report.

2. There was a considerable increase of crime during the year. The total number of offences being 36,719, against 32,582 in the year 1870. The increase thus amounted to 12 per cent,

3. So far as crime cognizable by the police is concerned, the Chief Commissioner has recorded his remarks thereon in his review on the Police report. But there has been a greater increase in non-cognizable offences than in the offences with which the police are competent to deal direct, for the cognizable offences increased only by 9 per cent. The classes of non-cognizable offences which have been more numerous are not of a serious character, and are made up of assault, hurt, insult, and defamation, all nearly allied to each other. The explanation generally given for the greater prevalence of such offences, is the greater readiness with which people complain of trifling wrongs and injuries in years when the harvest has been good and food is cheap, and a second and very probable explanation has also been furnished by the Commissioner of Jabalpur, who says that, according to orders issued, all assault cases are entered in the registers of offences, and not struck off without the special order of the Deputy Commissioner, whereas formerly they do not always appear to have been entered. Magistrates have forgotten to record their conviction, in dismissing complaints or acquitting offenders, that an offence was not committed, and hence the offences are still shown in the crime register. This may well be the case, and the large number of acquittals and discharges in such case give a probability to the theory. In any case the increase of uncognizable crime need not excite any uneasiness.

4. A slight decrease in the number of Magistrates is regretfully mentioned in paragragh 9. The decrease is chiefly in the number of Stipendiary Magistrates, and is more nominal than real; and of the decrease of Honorary Magistrates it may also be said that the decrease has not reduced the number of working Magistrates. At head-quarters of districts, where the Stipendiary Magistrates chiefly are, there is no want of Magistrates, and it is in the Mofussil, the interior of districts, and remotely lying tracts that an addition to the Magistracy would be beneficial. The Chief Commissioner is not aware that any Magistrate has during the year under review been withdrawn from any such tract or place, or that any Honorary Magistrate living there has ceased to perform Magisterial duties. The Judicial Commissioner is doubtless aware that Colonel Keatinge, as well as Mr. Morris himself, attached the greatest importance to having Magistrates established all over the country at convenient places, and that the Chief Commissioner is most willing to confer Magisterial powers on Native gentlemen of local influence and consideration, and it is shown in a subsequent part of the report that Honorary Magistrates in the interior of districts performed more Magisterial work than in any previous year.

Magistrates' Courts.

5. The Chief Commissioner concurs with the Judicial Commissioner in thinking that the system of Benches of Honorary Magistrates is only suited to large towns, where there are many Honorary Magistrates.

6. It is shown in paragraph 17 that Honorary Magistrates disposed of 32 per cent of all the persons brought before the Courts. This is a very large average, considering the circumstances of the Province, and if tolerably equally distributed would be a very satisfactory feature in the Criminal administration; but it unfortunately happens that while in the wilder districts, where Honorary Magistrates would be most useful, there are none or but few, there are many in the more advanced Divisions, and while the Honorary Magistrates in the Nagpur district disposed of 62 per cent of all criminals, in Nimar of 55 per cent, in Sagar and Hoshangabad of 40 per cent,—in Chanda, Balaghat, Bilaspur, and Sambalpur, the few that there are, disposed of but a very small amount of the Criminal work.

7. The Commissioner of the Nagpur Division has some remarks which would appear to contain an opinion that some Honorary Magistrates are allowed, if not made to do, too much work. The Judicial Commissioner, on the other hand, says that it "is impossible now that any do more than they freely desire to do." Theoretically the Judicial Commissioner is no doubt correct, but at the same time the Chief Commissioner thinks the Deputy Commissioner of a district may at times induce an Honorary Magistrate to take up more cases than he would do if entirely left to himself. If the Deputy Commissioner were to let it be seen that he liked the Honorary Magistrate to dispose of a great number of cases,—if the Honorary Magistrate was allowed to think that his obtaining the good opinion of the Judi-

cial authorities or of the Administration through them depended on the amount of work he performed, then he might make efforts which would in one sense be voluntary, but in another hardly so. If an Honorary Magistrate takes up too much work or more work than his leisure permits of his easily performing, the quality of the work must suffer.

Magistrates of Districts.

8. The Chief Commissioner is glad to see the prominence which the Judicial Commissioner has given to the remarks of the Officiating Commissioner of the Narbada Division, about Deputy Commissioners taking a full share of Magisterial work. It is, the Chief Commissioner considers, very important that the Deputy Commissioner should, as Magistrate, take up and dispose of a fair number of cases, and that he should withdraw from the file of other Magistrates and try himself cases that may seem to call for severe punishments. Criminals accused of an offence after having been convicted once or twice before, should not be left to be dealt with by Subordinate Magistrates, and the Deputy Commissioner should exercise something more than nominal control over the Criminal work of his district. The Chief Commissioner fears that Deputy Commissioners have too frequently of late left almost all the Criminal work to their Assistants.

9. Section C. of the report shows the result of the trials before Magistrates for the different offences.

10. The Judicial Commissioner's remarks under every head of this Section have the Chief Commissioner's full concurrence.

11. The subject of punishments is treated of in Section D.

Punishments.

17,614 persons, or 67 per cent of all convicted, were fined only.

5,916, or 22 per cent, were imprisoned, and

2,801, or 11 per cent, were whipped and released.

More people were fined and fewer imprisoned or flogged than in the preceding year, but the variation in the proportion of different kinds of crime seems to warrant fully the variation in the proportion to which each kind of punishment was resorted to.

Solitary confinement.

12. Solitary confinement would appear to be still too little resorted to, and the Chief Commissioner entertains no doubt that really solitary confinement is a deterrent form of punishment.

Fines.

13. The average incidence of fines has been lower than in former years, and it is believed that more care is taken to fix fines with reference to the estate of the offender and the nature of the offence.

Balaghat apparently shows a higher average than other districts, but if the realization of fines imposed is in any way a criterion of their moderation and fitness, Balaghat does not stand behind many other districts.

14. Only 12·4 per cent of the persons imprisoned were sentenced to terms exceeding 6 months, 44 per cent were sent to prison for a period not exceeding 2 months, and 18 per cent for a period of only 15 days and under. It is shown that the terms of imprisonment differ considerably in different districts, and the Chief Commissioner quite concurs with Major Mackenzie in considering as too numerous the large number of imprisonments for 15 days in Nagpur, Wardha, Sagar, and Mandla.

Adequacy of punishments.

15. The adequacy of the punishments inflicted by Magistrates in grave cases and in cases of second or third conviction of a similar offence has been called in question by the Officiating Commissioner of the Narbada Division. The Inspector General of Police has made some remarks on the same subject in his report on the Police administration of the year, and not very long ago the Chief Commissioner received from the Inspector General of Police a list of sentences in several districts in which some Magistrates had punished old thieves with one or two stripes only. The Chief Commissioner cannot help thinking that there is a tendency on the part of Magistrates to be injudiciously lenient in the punishments they inflict.

16. The number of re-convicted prisoners in the gaols of the Central Provinces during 1871 was known to be more than 12 per cent of the total number, and it was in reality much greater, and yet only 12 per cent of all the persons sentenced to imprisonment were sentenced for longer than 6 months. This alone would make the Chief Commissioner feel doubtful whether crime is punished with sufficient severity. Imprisonment is apparently reserved for few offences, or rather for few offenders, but yet the term of imprisonment is on an average very short.

17. When perusing the Annual Reports of Superintendents of Police, the Chief Commissioner was struck with the inadequate sentences passed in many cases by Magistrates in districts of every Division.

As the Superintendents' reports passed through the hands of Deputy Commissioners, and were also seen by the Commissioners of Division, the Chief Commissioner thinks he can fairly assume that they are accurate when no remark is made by the officers interested, to whom the reports are submitted for the purpose of any remarks they have to offer, being made.

A few instances will be extracted:—

RAIPUR REPORT. *Cattle Thefts.*—"In the most serious case the loss of the owner was estimated at Rs. 200. In this case the cattle were recovered, and the thief sentenced to receive 12 stripes."

18. In commenting on the leniency of sentences passed on old or professional offenders, the Superintendent of Raipur, Major Steuart, the most successful and experienced Police officer in the Province, writes in a tone of indignant remonstrance.

In the following extract he clearly refers to actual cases well known in Raipur:—

"As the Police operations of the year under report have clearly brought to light a very large number of this class of criminals (men who carry on thieving in a regular organized manner) spread over a district of so large an area as that of Raipur, and those who escape detection, or when arrested escape punishment, when they see their comrades receiving mild punishments, such as 12 stripes for a theft of cattle worth Rs. 200, 12 stripes for a theft of Rs. 82, 15 stripes for thefts of Rs. 18 and 40, 20 stripes for a theft of Rs. 697, and 10 lashes for three thefts committed by the same criminals at intervals of several weeks, and tried in close succession one after the other by the same Magistrate, and showing clearly that the offenders made thieving their trade, can really feel no deterrent effect from such punishments. What are a dozen lashes to an utterly characterless man with an epidermis a buffalo might envy, when compared with the easy acquisition at his neighbour's expense of a sum of money that will keep him in ease and comfort from 6 to 12 months?"

BILASPUR. *Grievous Hurt.*—Dairu Chumar, because his wife Mt. Maramutti quarrelled and did not cook his food, burnt her with a red hot reaping hook on her face and buttock. He was challaned and sentenced to *a month's* rigorous imprisonment.

WARDHA. *Grievous Hurt.*—This case was committed on the 13th May at the village of Deoli. It appears that two men were quarrelling, when a third went up to separate them. One of the two resisted any attempt to interfere on the part of the plaintiff, and took him up and dashed him violently on the ground, breaking the bone of his left arm. Defendant *fined Rs. 15*, in default 6 months' imprisonment.

Two brothers on the 23rd November at the village of Hathikoondee had a quarrel, when one took up an axe and inflicted a wound on the other's head and then attacked him with a knife, inflicting several other wounds on his person. Defendant was sentenced to *one year's* rigorous imprisonment.

No. 7. This case occurred on the 24th of November. The following are the particulars:—Plaintiff was bringing a lot of cattle to the pound for damage to his crops. On the way the defendants, owners of the cattle, came up and forcibly took their cattle away from him and would not let them be taken to the pound. Plaintiff remonstrated and endeavoured to drive the cattle to the pound, when the three defendants fell on him and gave him a thrashing fracturing the right forearm. They were sentenced to *two months'* rigorous imprisonment.

SEONI. *Rioting.*—One Booria Gowara accompanied by 17 others went to the house of Mutia Gowar and committed criminal trespass and beat him because he had given refuge to his sister, Mt. Rannu, Gowarin, wife of Boora. The 18 accused were arrested and challaned to the Magistrate, who punished them as follows:—Booria, Seewa, and Rama, Gowaras, were fined *Rs. 3 each*, Sutia and Changoo, Gowaras, were fined *Rs. 2 each*, the other 12 were discharged.

Several cases very similar to this appear to have occurred in Seoni, and they were punished with equal leniency.

19. Hoshangabad and Damoh are already mentioned in paragraph 37 of the report as districts in which the Magistrates have not always shown judgment in meting out punishment, but the foregoing extracts will show that in offences against property, as well as offences against the person, criminals often escape much more easily than should be permitted. The Chief Commissioner does not doubt that this important point in Criminal administration will receive the Judicial Commissioner's attention.

20. The prompt discharge of witnesses summoned to the Courts is creditable to the Judicial officers.

21. The Chief Commissioner will pass early orders on the subject of the payment of the expenses of witnesses. A revision of the rules made in 1869, but which have not been in operation for the last two years, would appear to be necessary.

22. The average duration of cases, particularly of cognizable cases, had not been so good as in 1870, and this although from changes in the classes of cases entered in the register, an improvement was to be expected. In cases preferred on complaint the falling off was less marked. The Judicial Commissioner has pointed out the districts which show worst in this respect.

23. The Chief Commissioner quite agrees with the Judicial Commissioner that cases sent up by the Police with all necessary witnesses and information should be taken up and disposed of at once. More careful supervision on the part of the Deputy Commissioners would ensure the prompt disposal of such cases, and this the Chief Commissioner will expect in future.

24. On the whole the procedure of the Courts has been satisfactory and Criminal justice has been efficiently administered. As has been pointed out, the Chief Commissioner thinks the Magistrates are too apt to temper justice with mercy of too unstrained a quality, and that the vigour of the Criminal administration may have suffered in consequence; that Magistrates of districts have not maintained so close a supervision over their Subordinate Magistrates, or taken so large a share of the Criminal work as might be desirable; but these defects may with care and attention on the part of Deputy Commissioners be easily remedied and will doubtless be remedied in a very short time.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. NEILL,

Offg. Secretary.

21—225—385

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No 670.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nágpúr, the 22nd May 1872

SIR,

I have the honor to submit the Annual Report on the administration of Criminal Justice in the Central Provinces for the year 1871. Abstract Statements in the revised Imperial Forms* prescribed by the Government of India in 1870 are now submitted for the first time More detailed statistics will be found in the Provincial Statements, † which are also appended

* IMPERIAL STATEMENTS

B 1 —Showing the various Judicial Tribunals, original and appellate
B 2.—Showing offences reported and persons tried, convicted, and acquitted for each offence
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† PROVINCIAL STATEMENTS

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VIII Exhibiting cases in which European British subjects were charged with offences
IX —Exhibiting cases and persons tried in Courts of Session
X —Exhibiting the punishments inflicted by Courts of Session
XI —Exhibiting each Officer's Magisterial work of the year

The several Provincial and District Reports are submitted in original.

STATE OF CRIME.

2 There was some increase in reported crime during the year, as compared with 1870

The following abstract of Statement B. 2. is presented:—

DESCRIPTION OF OFFENCE.	1870.	1871.
CLASS I.		
Offences against the State	...	...
" relating to coin, stamps, weights and measures	181	174
" against Public Justice	753	706
" by Public servants	158	157
" false evidence, false complaint or claim, and forgery ...	349	162
" relating to the public peace	152	194
Public nuisances	879	1,799
CLASS II.		
Offences against the person (serious)	950	1,163
Minor offences against the person	7,214	10,391
CLASS III.		
Offences against property with violence	6,188	6,630
" " " without violence	11,221	11,745
Malicious offences	1,095	1,251
CLASS IV.		
Offences against the Indian Penal or Criminal Procedure Codes not included in the above classes...	135	171
Other offences against special laws...	3,307	2,176
Total ...	32,582	36,719

The following extracts from the Divisional Reports explain the principal fluctuations in the reported crime.

3. NAGPUR DIVISION.

[*Commissioner's Report, extract paras. 4 to 11 and 19.*]

(*Para. 4.*)—"The number of offences reported has increased in all the districts during the year under report.

	1870.	1871.	Increase.	Percentage.
Nagpur	3,556	4,026	470	13
Wardha	1,403	1,793	390	27
Bhandara	1,375	1,740	365	26
Chanda	1,533	1,820	287	18
Balaghat	583	828	245	42
	8,450	10,207	1,757	20

(*Para. 5*).—" The following Table will show the comparative numbers of heinous offences reported in this and in last year:—

	Murders and attempts.		Culpable Homicides.		Dacoities.		Robberies and attempts.		Rapes.		Total.		Increase.		Decrease.	
	1870.	1871.	1870.	1871.	1870.	1871.	1870.	1871.	1870.	1871.	1870.	1871.	Number.	Percentage.	Number.	Percentage.
Nagpur	2	7	1	...	2	1	2	7	...	2	7	17	10	142	...	...
Wardha	5	1	...	...	1	...	2	10	2	5	10	16	6	60	...	...
Bhandara	2	5	3	2	1	...	3	4	2	2	11	13	2	18	...	...
Chanda	4	2	1	1	2	3	3	...	1	2	11	8	...	...	3	27
Balaghat	3	3	1	...	...	...	...	1	...	1	4	5	1	25	...	...
Total ...	16	18	6	3	6	4	10	22	5	12	43	59	16	37	...	...

(*Para. 6*).—"The following Table shows the comparative numbers of the commoner and more important offences against property:—

	House trespass or house-breaking to commit theft, Sections 451—454.		Theft of cattle.		Theft ordinary.		Dishonestly receiving stolen property.		Total.		Increase.	
	1870	1871	1870	1871	1870	1871	1870	1871	1870	1871	Number.	Per centage.
Nagpur ...	337	360	49	42	892	940	43	37	1,321	1,379	58	4
Wardha ..	150	172	28	25	319	379	2	8	499	584	85	17
Bhandara ...	282	336	38	46	429	484	13	13	762	879	117	15
Chanda ...	307	354	16	17	718	751	36	27	1,077	1,149	72	6
Balaghat ..	120	212	21	34	196	250	...	10	337	506	169	50
Total ...	1,196	1,434	152	164	2,554	2,804	94	95	3,996	4,497	501	12

(*Para. 7*).—"And the following Table shows the comparative numbers of offences not included in the preceding Statements:—

	Offences.		Increase.	
	1870.	1871.	Number.	Percentage.
Nagpur	2,228	2,630	402	18
Wardha	894	1,193	299	33
Bhandara	602	848	246	40
Chanda	445	663	218	48
Balaghat	242	317	75	30
Total ...	4,411	5,651	1,240	28

(*Para. 8*).—"It thus appears that there has been, in heinous offences, a total increase of 37 per cent; every district except Chanda showing an increase, and the increase being greatest in Nagpur and Wardha.

"In the commoner offences against property a total increase of 12 per cent; increase occurring in every district, but being largest in Balaghat and Wardha, and least in Nagpur.

"In other offences a total increase occurring in every district of 28 per cent; the proportionate increase being least in Nagpur and greatest in Chanda.

"And for all offences, a total increase in every district of 21 per cent; the proportionate increase being lowest in Nagpur and highest in Balaghat.

(*Para. 9*).—"All the Deputy Commissioners are agreed that the past year has been one of average plenty and prosperity, the prices of food have not been extraordinarily high, work has been abundant, and there has been no unusual amount of distress among the poorer classes. As the nature of the season therefore does not account for the increase of crime, it is necessary to enquire to what causes it may be attributed.

(*Para 10*).—"The Deputy Commissioner, Nagpur, points out that in his district there is an increase of 387 cases of petty assault and insult, and of 111 cases of nuisances, and argues that the former increase is due to a greater readiness on the part of the people to appeal to the law in trivial matters, and the latter to greater attention on the part of the authorities to sanitary and other similar requirements of an advan-

cing state of civilization. I am not quite sure whether an increase in these two classes of cases should be regarded as an unmixed advantage. But the Deputy Commissioner is right in pointing out that the increase of more serious offences (with the exception of murders) in his district is trifling.

"The Deputy Commissioner, Wardha, attributes the apparent increase of crime in his district chiefly to better reporting.

"The Deputy Commissioner, Bhandara, points out that last year there was exceptionally little crime in his district, and that this year crime is much below the average of former years.

"The Deputy Commissioner, Chanda, thinks that the increase in crime is partly apparent only, and due to better reporting, but that it is partly due to laxity on the part of the police.

"And the Deputy Commissioner, Balaghat, thinks that this year's increase of crime in his district is merely an ordinary fluctuation, to be expected from year to year.

(*Para. 11*).—"My own opinion (so far as my very recent acquaintance with this Division enables me to form one) is that increase in crime this year may be chiefly attributed to three causes.

"1*st*.—Crime last year is believed to have been exceptionally small in amount. I see that my predecessor, para. 6 of last year's report, anticipated that thefts in Bhandara would be more numerous this year than in 1870, and I think we must expect fluctuations from year to year about the average of crime, and may be satisfied if, as I hope is the case, the average during a series of years tends to diminish.

"2*nd*.—We may fairly, I think, attribute a portion of the apparent increase in crime to more efficient reporting on the part of the police. This is particularly the case in Wardha.

"3*rd*.—Last season's Kharif crops were below the average in great part of this Division, and I am told both by Police officers and by the people themselves that when crops are short there is a much greater readiness to complain of petty thefts of grain from the fields, which in plentiful seasons are both less frequent and are more commonly passed over without notice. This I understand is specially the case in Bhandara and in Balaghat."

(*Para. 19*).—"It may be useful to notice the percentage of reported crime to the population of each district in this Division. These figures will be more accurate when the results of the census lately taken are known. But they are approximately correct, and I believe (though I speak with diffidence on this point, not having the figures for other Provinces at hand to refer to) that they may be considered fairly satisfactory, as indicating certainly not more than an average amount of crime among the people of this Division.

Districts.	Population.	Percentage of reported crime to population.
Nagpur...	639,341	·62
Wardha...	343,485	·52
Bhandara	608,480	·28
Chanda...	537,295	·33
Balaghat	170,934	·48
Total ...	2,299,535	·44

"I would remark on these figures that it is not surprising that Nagpur with a large town population, and with numerous Police stations and out-posts conveniently stationed, should show the largest percentage of reported crime. Nor is it wonderful that the percentage in Chanda should be low, considering its vast area, the distance from each other of its Police posts, and the small number of its Magistrates. But I am sur-

prised at the result shown for Bhandara, and shall endeavour to ascertain if any satisfactory cause can be assigned for it. I suspect, however, that the population of Bhandara has been over-estimated, and that the census will show it to be considerably under six lakhs."

JABALPUR DIVISION.

[*Commissioner's report, extract paras. 2 to 6.*]

(*Para. 2.*) "The number of offences reported has somewhat increased, viz., from 10,193 to 10,924. The difference is not in itself very remarkable, but when analysed it shows singular fluctuations in the different districts of the Division. Thus in Jabalpur there has been an increase of 1,132 offences, or 37·2 per cent on the whole; in Seoni of 330, or 21·9 per cent; in Damoh of 377 or 31·6 per cent, and in Mandla of 21 or 2·2 per cent. On the other hand there has been a very considerable decrease in Sagar, the reported offences having fallen from 3,543* to 2,414, or at the rate of 31·8 per cent. It is difficult to explain this difference in results between Sagar and the other districts of the Division on any general grounds, but it may perhaps be partly attributed to the fact that in its last year's roll of crime, Sagar had an unenviable pre-eminence among the districts of the Central Provinces; the total number of offences being in the ratio of ·71 to the population, whilst the average for the Province generally was only ·42. The total number of offences committed was only surpassed, and that barely, in Nagpur, where the population is considerably larger.

*The Magistrate notes that the actual decrease has been even greater, as the number of offences in 1870, though returned at 3,543, should really have been 3,780.

(*Para 3*).—"Going more into detail, it may be said broadly that the increase in crime is almost entirely under the head of petty offences against the person. Offences against property stand at 5,238 for 1871, as against 5,650 for 1870. That is in Damoh, Sagar, Mandla, and Seoni there has actually been a decrease under these heads, though in the latter district there has been a slight increase under house-breaking and lurking house-trespass. This is explained by the Deputy Commissioner, and I think satisfactorily, to be due mainly to the establishment of a new station-house in a remote situation, in consequence of which petty offences have been reported which would otherwise have escaped notice. This explanation is borne out by the returns. Thus it only remains to account for the increase in offences against property in the Jabalpur district, which amounts to Rs. 328,—the percentage of increase therefore exceeding 20. The Deputy Commissioner observes on this point, that 1870 having been a particularly good year does not afford a fair standard for comparison, and that if the statistics for 1871 be tested by the averages for the last 3, 4, or 5 years they will not show badly. The explanation seems reasonable, and it must also be remembered that the meeting of the two railways at Jabalpur tends to bring thieves and travellers into contact there. As a fact many cases of railway thefts come before the Courts, and so far from regarding a slight increase in the reported crimes under this head with disquietude, and I have no reason for thinking that the proportion of the aggregate increase attributable to this cause is other than slight, I should be inclined to fear that many thefts remained unknown to the police owing to the disinclination of travellers to lose time by coming before the Courts.

(*Para 4.*)—The general result then is, with regard to the two classes of petty crime which most affect the returns, that there has been a slight decrease of theft, and a marked increase of petty assaults, and the like. A second successive year of cheap food will naturally account for the first of these results, and though not quite so obviously, must have had a real share in occasioning the second. It seems certain that in bad years the people are obliged by straitened means to deny themselves the luxury of fighting out their battles in the Courts, and it is probable that they have little heart for quarrelling at times when all their thoughts and efforts are concentrated on the task of supporting existence. It will be observed that the increase in petty assaults is traced directly by the Deputy Commissioner of Seoni, and indirectly by the Deputy Commissioner of Damoh, to this cause; but indeed there is nothing new in the theory, and there is a passing allusion to one aspect of it—*viz.*, the restrictive effect in bad years of the institution fee on actions for assault, in the Judicial Commissioner's report for 1870, page 18.

(*Para. 5.*)—"It seems likely too, that as the Deputy Commissioner of Jabalpur points out, the returns of petty offences against the person have been unduly swelled by an imperfect observance of the new rules for registration of crime. The following passage from the Jabalpur report explains the manner in which this may have come about,—'In former years offences not cognizable by the police, for which complaints were preferred before the Magistrate, and which were rejected without issue of summons or warrant, used to be omitted from column 4 of Statement No. I. During the year under report, these offences have been included in accordance with the instructions contained in rule 17, of the rules appended to the Judicial Commissioner's Book Circular No. III. of 1871.' I have reason to believe that this rule has escaped the notice of some Magistrates, who have consequently omitted to record their belief about the offence never having been committed; the attention of all Magistrates has now been called to this point. The Deputy Commissioner of Seoni also suggests that the increase in petty assault cases may be partly due to the provision * of the Court Fees' Act, under which Courts are bound to order repayment of the institution fee to complainants in cases of successful prosecution. This provision may have had some effect in making litigation more attractive, or rather in lessening its disadvantages, but I should be inclined to doubt whether the returns have been materially affected in consequence. It is probable that the mushroom growth of assault cases which swells the returns of a prosperous year, is mainly of an unsubstantial and even fictitious character, whereas the cases in which the institution fee is returnable, are presumably genuine. On the whole I think the two first-named causes are sufficient to account for some real and perhaps an equal amount of apparent increase in petty offences against the person; and the only point not at present quite cleared up seems to me to be the great decrease in offences of this class in the Sagar district. It might be concluded that there has been too free an exclusion of alleged offences on the ground that they never occurred, but as a fact there have been only 38 per cent of convictions in offences of this class,—a very low proportion. It must be hoped then that the decrease is genuine, and there is the more reason for thinking so, that petty offences against the person are still some 50 per cent more numerous than in any other district in the Division."

* Section 31, Act VIII. of 1870.

(*Para. 6*).—"There is nothing very deserving of notice in the statistics of other offences, though it may be recorded with satisfaction that heinous crimes have certainly decreased. Thus 1871 shows 20 murders and attempts at murder, as against 31 in 1870. Sagar as usual has the lion's share of murders (12*). There was apparently nothing in the character of most of these crimes to give any clue to their comparative multitude. They were not as a rule of a particularly savage type, nor did they occur exclusively among the more turbulent classes of the community."

* This includes 2 cases of attempts at murder.

5. NARBADA DIVISION.

[*Commissioner's Report, extract paras 2 and 3.*]

(*Para. 2*).—"The total number of offences reported in 1871 is considerably above the number in 1870, and something over that of the former year 1869. The following Table shows the figures of the several districts:—

DISTRICTS.	1869.	1870.	1871.
Hoshangabad ...	2,488	2,471	3,045
Narsinghpur ...	3,152	2,535	2,733
Nimar ...	1,871	1,969	2,244
Chhindwara ...	1,358	872	1,031
Betul ...	1,257	1,049	1,155

(*Para 3*).—"Aggregate figures, however, are but fallacious guides in estimating the fluctuations of crime, and I have therefore prepared a Statement showing the figures of each district for the year 1870 and 1871 for each principal offence. It will be seen from this that the increase of crime in the various districts falls under the following principal heads;—

Hoshangabad.—" Nuisances under Penal Code 24

Do. under Act V. of 1861	64
Grievous hurt	10
Assault	245
Criminal intimidation and insult	65
Defamation	17
Robbery	11
Extortion	6
House-breaking	140
Lurking house-trespass	8
Theft	25
Bad livelihood	23

" There are some few other headings under which there has been increase, and several under which there has been decrease.

" For the increase under many of the offences above enumerated, the local authorities are not responsible; in some cases, *e. g.*, bad livelihood, the increase is creditable to them, but the increase in robberies, house-breaking, and theft, is unfavourable. The Officiating Deputy Commissioner attempts to explain the increase by supposing that crime in 1871 has been better reported. I am afraid that the very reverse is really the truth, and that neither in 1870 nor 1871 has cognizable crime been fully reported. I shall say no more on this subject here, as the state of crime in Hoshangabad has been the subject of special enquiry. Although under grievous hurt there are ten cases, against none of last year, it is satisfactory to find that the number of murders has greatly declined.

Narsinghpur.—" The small increase of crime in this district is due principally to—

Nuisances	70
Grievous hurt	22
Assault	101
Insult	41
Defamation	175
Extortion...	42
House-breaking	77
House-trespass	21

" On the other hand there has been a diminution in—

Theft, cattle	25
Theft, others	59
Receiving stolen property	21

" The most heinous descriptions of crime have remained much at the level of 1870. On the whole the results of the year are favorable., and the apparent increase in crime may be said to be due to offences for which the district authorities are not responsible.

" A reference has been made to the Deputy Commissioner regarding the large number of cases of extortion.

Nimar.—" Owes its increase almost entirely to—

House-breaking	168
Theft, cattle	18
Do. ordinary	252
Receiving stolen property	11

" Other offences have generally declined. The Deputy Commissioner attributes the unfavourable results of the year—

(1.)—" To a sudden out-break of crime at Khandwa and Burhanpur.

(1.)—" To the congregation of coolies for Railway works.

(3.)—" To an irruption of Wadars, Naths, &c., from Khandesh.

"I do not think that these causes can be considered quite to account for so great an accession of crime. No attempt has been made to show what exact number of offences these causes have severally added to the crime register. The police report will probably make this clear, and the case may be as the Deputy Commissioner opines, but should it prove otherwise, then, judging from the case of Burhanpur (regarding which a report was recently submitted to the Chief Commissioner), I should be disposed to believe that so far from the police administration of the district having retrograded during the year, some part at least of the increase may arise from the fact that during 1870 crime was less completely registered than it has been during the greater part of 1871.

Betul.—"House-breaking increased by 28 cases, but this was balanced by a decline of 13 cases in cattle theft, and 15 in theft ordinary. This district on the whole shows well. The apparent increase is due principally to cases of assault and cases under the Excise Act."

6. CHHATTISGARH DIVISION.

[*Commissioner's Report, extract paras. 2 to 5.*]

(*Para. 2.*)—I will first notice the state of crime in the Division, during the year, as compared with 1870.

No.	District.	Class I., against the State, the Public, and Justice.	Class II., against person.	Class III., against property.	Class IV., not included in above.	Class V., against special Laws.	Total.	
		1871	1871	1871	1871	1871	1870	1871
1	Raipur	184	428	1,490	7	162	1,855	2,271
	Difference						Increase	416
2	Bilaspur	64	412	1,335	5	·35	1,811	1,851
	Difference						Increase	40
3	Sambalpur	33	224	714	1	195	1,162	1,167
	Difference						Increase	5
4	The Division	281	1,064	3,539	13	392	4,828	5,289
	Difference						Increase	461

The details of special crime may be seen from the subjoined Table:—

	Raipur.		Bilaspur.		Sambalpur.		Division.		Difference.	
	1870	1871	1870	1871	1870	1871	1870	1871	Increase.	Decrease.
Murder of all kind sand attempts	7	3	4	10	5	4	16	17	1	...
Culpable homicide ...	3	3	...	1	...	1	3	5	2	...
Robbery and dacoity ...	2	3	3	2	...	...	5	5	...	...
Causing grievous hurt ...	4	13	4	4	1	1	9	18	9	...
Theft of cattle ...	191	178	240	177	67	59	498	414	...	84
Theft ordinary ...	509	817	374	388	419	384	1,302	1,589	287	...
Receiving or concealing stolen property ...	52	70	18	12	5	27	75	109	34	...
House-trespass to commit theft.	239	251	545	571	238	188	1,022	1,010	...	12
Mischief by fire ...	...	2	...	3	...	2	..	7	7	...
Criminal trespass ...	60	61	41	65	15	17	116	143	27	...

"I shall notice the above details by districts in the order in which they stand.

Raipur.—(*Para. 3.*) "There has been a very considerable increase of crime in this district under the heading "Theft ordinary." I am sorry to say that the Deputy Commissioner has passed the matter by without any remark, and had not Major Steuart, the District Superintendent of Police, entered into full details in his report to the Inspector General, new as I am to the Division, I should have been quite at a loss to account for the apparent relapse. It appears that from the commencement of the past year, a system of checking the reporting by village Kotwals was introduced and carefully watched by Major Steuart, who now writes that very many Kotwals who formerly never came near the police posts, appear weekly and report numerous petty cases of theft which in previous years would have never been heard of. It appears also that towards the close of 1870, several cases came to light and were prosecuted to conviction, where reports of crime had been kept back by certain superior Police officers. No doubt the example which was made, at once affected the amount of crime reported. I might extract far more pertinent matter from Major Steuart's report, but that as the report itself will be before the Judicial Commissioner, it is superfluous my doing so. I need only record my opinion that the reasons given by Major Steuart for the increased number of thefts may be accepted.

Bilaspur.—(*Para 4*). It is to be regretted that the number of murders increased in this district from 4 in 1870 to 10 in the past year, but variations in the amount of this kind of crime are an ordinary occurrence beyond control. I may note that only one of the murders originated in the popular belief in witchcraft. A very satisfactory feature in the returns of this district is the marked decrease in the number of thefts of cattle. The Deputy Commissioner attributes the decrease to a system of registration of sales of cattle, which has been encouraged throughout this district. This may to a certain extent be the case, but it is clear that if the popular sympathy with cattle lifters is really so active as the Deputy Commissioner states, extending to the absolution of a convicted prisoner from the disgrace naturally attaching to his punishment, the police must relax no measure of their activity in tracing and rooting out the crime.

Sambalpur.—(*Para 5*). The state of crime is this district during the past year appears to have been very satisfactory. There was little heinous crime, and under all the headings of theft there was a considerable decrease. The Deputy Commissioner explains the matter by stating that the Gandas, by whom thefts were mostly committed, have taken to smuggling salt, as being a more paying and less dangerous pursuit. He also gives credit to the police for their restrictive action. As to the former reason, I do not feel sure that the practice of smuggling is free from demoralizing influences, and there is the danger of violent collisions with the preventive officers becoming common, but still of the two evils thieving is the worst, so that to a certain extent the Gandas may be congratulated upon the course they have taken.

The above extracts may be aptly followed by the subjoined figures for all districts together.

neral result.

SELECTED OFFENCES.	Number of offences reported during	
	1870	1871
Counterfeiting coin	4	8
Diminishing or altering coin	5	9
Passing or possessing bad or altered coin... ...	61	52
Omitting to give information of offence, or giving false information	182	223
Disobedience of lawful order causing injury ...	37	38
Taking valuable thing by or to influence public servant.	41	43
Giving false evidence	48	56
Forgery or fraudulently using or possessing forged document	30	40
Public Nuisances under the Penal Code... ...	189	274

SELECTED OFFENCES.—(*continued*)	Number of offences reported during	
	1870	1871
Nuisances under Police or Municipal or Cantonment Acts	* 1,540	1,525
Murder	97	72
Grievous hurt	80	108
Hurt by dangerous weapons	62	81
Selling, letting, or unlawfully possessing a woman for purposes of prostitution	40	2
Rape	28	48
Hurt	439	746
Assault or use of Criminal force	5,449	7,685
Criminal intimidation or insult	900	1,189
Defamation	222	467
Robbery	36	67
House-breaking or house-trespass in order to commit theft	5,832	6,188
Theft of cattle	1,299	1,106
Theft ordinary	8,728	9,403
Dishonestly receiving stolen property	414	379
Dishonest misappropriation of property	231	260
Criminal breach of trust	310	354
Cheating	239	243
Mischief by fire	28	51
Criminal trespass or house-trespass	653	812
Belonging to a wandering gang of thieves ...	...	9
Vagrancy without ostensible means of livelihood ...	55	67
Bad habit and repute	63	73
Breaches of Laws relating to spirits and drugs ...	512	484
" " " opium	73	170
" " " salt and saltpetre ...	369	452
" " " gambling	74	102
" " " cattle trespass ...	2	284
" " " income tax	526	84

* Including 950 offences believed to have been wrongly returned in 1870 as "other breaches of Municipal Law."

The points which, in connection with the Judicial administration as treated in this report, this Table and the Table given in para. 2 above indicate as most noteworthy are the following: During the year, as compared with 1870, petty offences against the person under the four heads of assault, hurt, insult, and defamation, increased by 3,087,—thus assaults 2,246, hurt 307, insults 289, and defamation 245. There was also an increase of 1,031 in thefts ordinary and in house-breaking with intent to commit theft. Other offences present no remarkable fluctuations, and the total increase under the above heads, which cover two-thirds of the grand total of offences under all heads, happens almost exactly to equal the total net increase in that grand total. Then the ratio of increase as above was much greater in respect of assaults, &c., than in theft, &c., being 44 per cent in the one case and only 7 per cent in the other. Again, the increase in thefts has been admittedly owing in some part to extended reporting, and may be therefore held to comprise cases of minor character and more difficult to prove. The effect of this change in the general character of crime will be seen in the results of the Judicial Administration now to be treated in the usual order of subjects.

A.—The Tribunals.

Table of Tribunals.

8. The annexed Table shows the number of Criminal Judges employed as such at the close of 1871 :—

Description of Courts.		Number.	Remarks.
Sadar Court of Province Court of Judicial Commissioner ...		1	
Courts of Session ..		4	
Magistrates of Districts ...		19*	* Of these 18 were invested with special powers under Section 445A, the Code of Criminal Procedure.
Magistrates with full powers...	Stipendiary ...	29†	† Including 3 Cantonment Magistrates and 1 Superintendent Thagi School of Industry.
	Honorary ...	4	
Boards of Magistrates ...		4	
Subordinate Magistrates.	Stipendiary...	60‡	‡ Including 1 Assistant Cantonment Magistrate and 1 Civil Surgeon appointed general assistant to the Deputy Commissioner.
	Honorary ...	60§	§ One of these is a Civil Surgeon.
Justices of the Peace ...		51	

Magistrates' Courts.

9. There has been a slight decrease in the working body of Magistrates. Any such decrease is to be regretted, seeing how largely it must be increased before the country will be sufficiently provided with Magistrates' Courts. This forms subject of remark in each annual report, and the evil of large tracts of country and even populous towns being unprovided with a Magistrate is very great. This has been fully recognized by the Chief Commissioner, and it seems to be realized by many of the Local Officers. It is much to be regretted that the reports hold out no immediate prospect of the existing proportions of the evil being materially lessened. The Judicial Commissioner is under the impression that some further appointments in places where they are most needed might be arranged, especially with reference to the liberal rule regarding establishments laid down by the Chief Commissioner's Circular No. 216-13, dated 4th February 1871.

Territorial jurisdictions.

10. The report of the Commissioner, Narbada Division, contains some remarks regarding the Territorial jurisdiction of Magistrates, and the cases to which their cognizance is thereby restricted. This subject has never been thoroughly regulated, but the new Code of Criminal Procedure, which comes into force on the 1st September, will now enable this to be done.

Benches of Honorary Magistrates.

11. The system of Honorary Magistrates sitting as Benches has not been further extended during the year. The system has been adopted only in the town of Nagpur. There was formerly some disinclination shown by the Magistrates themselves to adopt the Bench system, but this seems now at an end, and the favourable remarks by the Deputy Commissioner and Commissioner in the reports for 1870 regarding the effects of the system appear still to hold good. As a safe means of initiating a young Magistrate into his duties, the Bench system is doubtless of use. The Judicial Commissioner, however, has never felt sure that it has any other special advantage.

12. The subjoined remarks regarding Assessors are extracted from the reports of the Commissioners of the Jabalpur and Narbada Divisions :—

Assessors.

[*Jabalpur Commissioner's para. 9.*]

"There can be little doubt that the discrepancies in the estimates of the value of Assessor's services are due to the diversities in the status and character of the gentlemen enrolled. In my own experience, I have found that the opinions of men of good standing and character are almost invariably valuable, but that Assessors of this class are not always supplied. The Deputy Commissioner of Seoni puts forward an opinion which I believe is not without foundation, that attempts are sometimes made to influence the verdicts of Assessors by bribery. This seems to me only natural, and it cannot of course be expected that Assessors should be less open to corrupt influences than the people from whom they spring. It would perhaps bear heavily on the gentlemen whose position and standing place them above suspicion, to limit the choice of Assessors to them, and unless this could be done, there would be no guarantee that all Assessors carried with them the weight which may be now given to the opinions of the best representatives of the class. But, even taking the system as it is, Judges very frequently receive material assistance from their Assessors, and it cannot but have a good effect on the feelings of the classes subject to the tribunals to know that their fate is not entirely in the hands of aliens to them in creed and blood, and that a certain sympathy may be presumed between themselves and the adjudicating Court, by the association with the Judge of fellow country-men of their own, with power to mediate, if not more directly to influence the decision, nor do I think it by any means impossible for a Deputy Commissioner with a good knowledge of his district very much to improve the existing material without trenching unfairly on the time of the higher classes. There is sometimes a tendency to select Assessors with too much regard to their address and manner, and not sufficient consideration of their means and position. Thus I have more than once found professional Mukhtiars of the old type sent up to sit with me, men of a class whose traditions are notoriously opposed to Judicial purity, though their training may have given them a degree of readiness and confidence which are superficial qualifications for an Assessor's office. I think it would be desirable to appoint Assessors more from the agricultural classes, whose mode of life is relatively conspicuous, and whose character therefore is comparatively well known, and less from the floating population of towns than is now done, and though this method of selection might apparently lower the standard of intelligence, or rather of external quickness among Assessors, it would, I am confident, exclude most of the doubtful characters now to be found on the rolls, in consequence of the impossibility of close individual discrimination in large communities."

[*Narbada Commissioner's para. 15.*]

"I have had very few cases before me in which Assessors have not suggested some points of importance which had not occurred to me, and I found that I derived much assistance, and at the same time kept up the interest of Assessors, by encouraging them to aid me in the examination of witnesses."

13. During the year a special report was made to the Chief Commissioner showing the state of the lock-ups appertaining to the Courts, and the Chief Commissioner was pleased to place funds to a certain extent at the disposal of District officers for their improvement. The reports show that this money is being turned to good account, and it is hoped that at least the worst features in existing lock-ups will be removed. Much, however, will remain to be done, and of this the Chief Commissioner is aware.

Lock-ups.

14. The subjects of "Court houses," "Court rooms," "Law Libraries," "Forms and instructions," and "Malkhanas" have been fully treated in the report on the administration of Civil Justice.

Court houses, &c.

15. The office of Judicial Commissioner was held throughout the year by Mr. P. S. Melvill, Officiating Judicial Commissioner.

Judicial Commissioner.

B.—The Distribution of the Business among the several classes of Courts.

General distribution in Courts of Magistrates of the several classes.

16. Statement B III. shows that 44,927 accused persons were brought before and dealt with by the Magistrates in the following proportions :—

Before Magistrates of Districts	...	2,090, or 4 per cent.
Other Stipendiary Magistrates	...	28,360, or 64 per cent.
Honorary Magistrates	...	14,477, or 32 per cent.

Distribution in districts.

17. The following Table shows further the number of such persons who were thus disposed of by the several classes of Magistrates in each district :—

DISTRICTS.	Persons disposed of by						
	Deputy Commissioners.	Cantonment Magistrates, and Assistant and Extra-Assistant Commissioners at District Head-quarters.	Tahsildars at District Head-quarters.	Honorary Magistrates at District Head-quarters.	Stipendiary Magistrates in the interior of districts.	Honorary Magistrates in the interior of districts.	Total.
Nagpur	39	924	254	1,925	1,010	1,754	5,906
Chanda	100	726	...	...	913	28	1,767
Bhandara	91	482	...	871	722	13	2,179
Wardha	224	415	390	11	665	736	2,441
Balaghat	150	467	166	...	114	...	897
Jabalpur	179	2,227	367	558	427	392	4,150
Sagar	195	1,295	502	600	512	1,026	4,130
Damoh	42	301	429	325	406	149	1,652
Seoni	112	332	380	440	720	491	2,475
Mandla	202	340	201	204	32	...	979
Hoshangabad	17	765	468	444	1,141	1,155	3,990
Betul	85	141	558	143	343	...	1,270
Narsinghpur	99	906	129	70	990	764	2,958
Nimar	67	848	110	723	114	660	2,522
Chhindwara	191	86	544	...	241	156	1,218
Raipur	157	1,297	249	244	910	182	3,039
Sambalpur	95	550	267	...	402	...	1,314
Bilaspur	117	369	243	...	840	172	1,741
Godavari	34	198	...	...	58	9	299
Total ...1871	2,196	12,669	5,257	6,558	10,560	7,687	44,927
Percentage ...1871	5·	28·2	11·6	16·4	23·2	15·2	...
Total ...1870	2,464	12,270	3,259	7,157	10,510	4,088	39,748
Percentage ...1870	6·2	30·9	8·2	18·0	26·4	10·3	...

Proportion taken by Honorary Magistrates.

18. It will be noticed that the proportion of business performed by the Honorary Magistrates continues to increase. It was 22 per cent in 1869, 28 in 1870, and now 32 in 1871. It is further seen that the proportion of work performed by Honorary Magistrates in

the interior of districts has risen from 10 to 15 per cent, while that of Stipendiary Magistrates in the interior of districts has fallen from 26 to 23 per cent, and so far as this may indicate a wider distribution of working Courts over the face of the country it is *pro tanto* satisfactory.

Unequal distribution among Honorary Magistrates.

19. The following remarks in paras. 31 and 32 of the report by the Commissioner of Nagpur claim attention :—

"The Judicial Commissioner will notice that while some of the Honorary Magistrates are overworked, others have done next to no work at all. Take for instance the cases of Mr. Govindsingh, Jamadar of Dhapawara, who has disposed of 681 persons accused of offences, and of Mr. Bhanudas Naidu of Kamthi, who has disposed of 933, while Raja Janoji has disposed of 18 only. In Bhandara again, Mr. Yeshwant Rao of Kamtha has disposed of 13 accused persons only, and Mr. Ganpat Rao of Bhandara of 65.* The latter officer is an excellent Magistrate, having been an Extra-Assistant Commissioner. Mr. Yado Rao Pande, on the other hand, has disposed of 823 accused, or more than one-third of the whole number for the district. He is an exceedingly active and energetic man, and does not complain, and it must be noticed that the popularity of his Court is the chief cause of the large amount of work in it. Still he is a large banker, and I cannot believe that he has not more Criminal work than he can dispose of conveniently to himself.

* "I do not think that work, both Civil and Criminal, is so well distributed in Bhandara as it might be, and the Deputy Commissioner will be addressed on this subject."

"Deputy Commissioners should, I think, exercise discretion in this matter. If it appears that an Honorary Magistrate is overworked, steps should be taken to relieve him of a portion of his cases. If, on the other hand, an Honorary Magistrate does not do a fair amount of work, I think that the Deputy Commissioner should arrange to refer to him a certain proportion of cases within his competency. If he objects to this, or does not do his work in a satisfactory manner, it would be better to request him to resign, as the position of a Magistrate is not solely Honorary, nor intended merely to confer dignity and influence on its holder."

The weight of an Honorary Magistrate's magisterial duty will often depend on the accidents of his local position. Some no doubt might be put in the way of doing more work than they do; but it is impossible now that any do more than they freely desire to do. The wishes of the Administration that they should not be unduly burdened are well known, and gentlemen like some of those instanced by the Commissioner of the Nagpur Division, who perform a large amount of magisterial duty, are persons who would not make an unwilling sacrifice of their private interests. Honorary Magistrates perform a public duty in greater or less measure from various motives. The public spirit which animates them all is often naturally enough mixed with motives which have reference to a position before the public, official favour and the like, gain in which is held to compensate time and trouble spent in their attainment, and the thing to look to seems to be that no influences be thus acquired which are improper in their tendencies. So long as this is guarded against, the Judicial Commissioner sees no objection to Honorary Magistrates doing a large amount of magisterial duty.

Magisterial business in Courts of Magistrates of Districts.

20. The remarks by the Commissioner of the Narbada Division in paras. 21 to 23 of his report regarding Magistrates of Districts taking a certain share of the magisterial business of their districts are here given :—

(Para 21).—"Except in Hoshangabad, Deputy Commissioners have assumed a full share of the magisterial work of their districts. This is, I venture to think, a matter of very great importance. At first sight it may seem that it does not matter whether a criminal is tried by a Deputy Commissioner or a full-powered Assistant, but it happens in practice that when Deputy Commissioners do not take a full share of the work, criminals do not receive their due meed of punishment. This takes place in

this way. A man is sent up on a charge of committing an offence not triable only by a Court of Sessions, say for house-breaking and theft of a large amount of property. It may be that a sentence of two years will suffice, but it is at least quite probable that more will be required. If, however, the prisoner is taken before an Assistant Magistrate, it almost invariably happens that he gets off with the lighter sentence. The Assistant cannot commit the case except to the Commissioner's Court, for it is not one triable by a Court of Session only, he must therefore either dispose of it himself, in other words throw the convict again on society after too short a term of imprisonment, or ask the Deputy Commissioner to transfer the case to his own Court. Practically, the latter course is never adopted. It would in fact be much better in one point of view if heavy cases were sent to Subordinate Magistrates, and not to full-powered Magistrates, for the former could send the case up for enhanced punishment, which the latter cannot. An Assistant would often hesitate to trouble the Deputy Commissioner to try a case *de novo*, who would not hesitate to send it up for enhanced punishment.

"When Deputy Commissioner of Jabalpur, I arranged that every burglary and theft in which the property stolen exceeded Rs. 100 should be sent to me direct, and I then, after examining the case, either tried it myself, or, if I thought that it did not seem likely to require a sentence of more than two years, referred it to one of my Assistants. There may be other and better modes of getting over what I believe to be a source of weakness to Criminal administration. I merely mention the plan I adopted as one means of meeting the difficulty.

(Para 22).—"Under the head of punishments I shall have to refer again to the lightness of the sentences passed in Hoshangabad. If I am right in thinking that there has been undue leniency in that district, then I think there can be no doubt that one cause for this is to be found in the small number of cases which the Deputy Commissioner took up.

(Para 23).—"Besides the obvious importance of having heavy cases tried by an officer competent to award adequate sentences, I would insist on all Deputy Commissioners taking a full share of the Criminal work of their districts in order to afford an example to Subordinate Magistrates. The Judicial Commissioner has sometimes remarked that punishments are apt to run in grooves. I believe that the best, if not the only way to prevent this, is for the Deputy Commissioner to take a share in the Criminal work, and make his sentences a guide and standard for his subordinates.

"Junior Magistrates err through want of discrimination. They are often diffident of their own judgments, and the result is that their sentences run on a dead level, in many cases too light, in as many too heavy. I feel sure that the example of an experienced and judicious Deputy Commissioner would do more to assist them in adjusting punishments to the cases before them than any amount of general advice."

In all this the Judicial Commissioner concurs. In the Hoshangabad district the Magistrate of the District disposed of only 11 persons in 1869, 34 in 1870, and 14 (in 9 cases) in 1871. As these figures comprise persons discharged merely at the instance of police, it would seem that here not only was the opportunity foregone of setting the example which is adverted to by the Commissioner, but the means, which the disposal of applications by the police for orders of discharge affords, of maintaining an insight into and guiding the action of the police of the district was in no sufficient degree taken advantage of, the duty of disposing of such applications being too habitually delegated to the subordinate Magistracy.

Indeed, when it is considered that the figures in the above Statement (para. 17) comprise persons discharged at instance of the police, the Judicial Commissioner is inclined to think that the sense of Mr. Jones' remarks may have a very general application, and that it would be better if Magistrates of Districts would themselves dispose of a larger number of magisterial trials than they do. The Judicial Commissioner has no doubt that some degree of reform in this matter would increase the efficiency of Deputy Commissioners in their very important

capacity as Magistrates of Districts. Such reform has been long called for, and a Circular to Commissioners, through whom such reform can be best effected, has now been issued on the subject.

Courts of Session.

21. 427 persons were tried by Deputy Commissioners of districts as Courts of Sessions under Section 445B. of the Criminal Procedure Code. 182 persons were tried by the Courts of Session presided in by the Commissioners of Divisions.

Sadar Court.

22. The following business was disposed of in the Court of the Judicial Commissioner :—

Cases sent up for confirmation of sentence of death ...	... 21
Appeals (persons)	... 254
Cases revised (persons)	... 126

C.—THE ACTION OF THE TRIBUNALS OF ORIGINAL JURISDICTION ON ACCUSED PERSONS APPREHENDED OR APPEARING BEFORE THEM.

23. Statement B.II. gives the data for the notes which follow.

Counterfeiting Coin (8).—Thirteen persons were tried and 8 convicted. 3 of these were convicted in the Sambalpur district. The Deputy Commissioner in his para. 10 reports as follows regarding them :—

"The case is of some importance, as it would appear that these 3 men were members of a gang of coiners which was broken up by the Berar police some years ago. They gave their names as Imam Shah, Piran Shah, and Balli Shah, and stated that they came from the neighbourhood of Nirmal in Hyderabad. When they were arrested, the clay and other materials out of which they were in the habit of making the moulds in which they manufactured the counterfeit coin, and the 'langoti' with the concealed pocket in which they kept this coin, were found in their possession, and subsequently two of their number made a full confession, showing the District Superintendent and myself the whole process of manufacturing both moulds and coin. The material used in making the coin was pewter, and the slightest scrutiny at once disclosed the deception, and no attempt was accordingly made to pass the false coin in the town, or among the well-to-do classes of the community. In the cases which came to light the general plan adopted was for one of the coiners to go to some out-of-the-way village disguised as a mendicant, and offer to some one whom he thought likely to be taken in change in copper for a rupee, saying that he was willing to give 18 annas therefor. On getting the rupee, he examined it and said that such a rupee would not pass current in his country, and showing a Hyderabad rupee (of which several were found in their possession) he said he wanted a similar one. As this of course could not be given him, he called off the bargain, and throwing down a counterfeit rupee in the place of the one he had received, and in the meantime concealed, he picked up his copper and walked away. Some eight or ten cases of this nature came to light after the coiners had been arrested, the victims being generally women, who did not discover the fraud that had been practised on them until some time after, when they tried to make a purchase with the false money they had received, and were then afraid to say anything about the matter lest they should themselves get into trouble."

The above description corresponds to the plan of proceedings adopted by members apparently of the same gang in the Nagpur country in 1870.

The Deputy Commissioner of Seoni in his para. 24 reports on an offender pursuing a different method :—

"A clever and artistic system of making false coin was brought to light. The accused was a native of Madras. Moulds and milling instruments were found on his person as well as a number of counterfeit coins in every stage of preparation, from the rough cast to the finished disc ready for circulation. These coins were difficult to

detect, the Gonds and simpler classes taking them without suspicion. Information was at the same time obtained that some of the gang were working in the city of Madras ; the Police there were at once communicated with.

"The coiner was accompanied by a woman, whom he ill-treated close to the police outpost of Mohgaon Before recovering from her rage she gave information to the police on the spot. This led to the man's arrest and discovery of the tools and materials I have described. The accused was committted to the Sessions and convicted."

Offenders of this class when convicted of course require to be severely dealt with. But the more ordinary phase in which this offence appears before our Courts is when copper coin has been quicksilvered and passed as silver coin, presenting only a very minor degree of heinousness.

Passing or possessing bad or altered Coin (10).—Out of 65 persons dealt with, 36 were convicted. These offenders are often intimately connected with the actual counterfeiters and receive corresponding treatment. The following remarks in para. 8 of the report by he Deputy Commissioner of Chhindwara are in point :—

"There were eight persons convicted with four cases prosecuted during the year under report, against none in the previous year. None of the offenders were residents of this district, neither were any implements for manufacturing such coins found in their possession. The counterfeit coin, as it would appear, were brought by them from the direction of *Seoni*."

Omitting to give information of offence, or giving false information (17)—194 persons were convicted out of 264 proceeded against. The great need of caution in allowing prosecutions for these offences at the instance of police was remarked upon in last year's report. The slight increase in the number of persons dealt with under this head during 1871 is, on that view, not wholly satisfactory. The Deputy Commissioners of Chanda, Seoni, and Chhindwara have remarks on the subject. Those by the Deputy Commissioner of Seoni (para. 26) are quoted below :—

"The number of offences reported was 6, involving 7 persons. The crime under this head might have been very considerably added to if I had listened on all occasions to the representations of the police. But the really great danger of preventing reports has made me very chary of sanctioning prosecution for this offence. It is on all grounds better that a few false reports should go unpunished than that we should not be cognizant of the actual crime prevailing. Besides, false reports cannot be numerous ; a report involves police interference, trouble, and loss of time, and the instances must be rare and the stake heavy, where individuals will consent to undertake the risk and inconvenience."

In Chhindwara it appears that a case did occur where it was found that "the information given was not false but true, and that the police had endea-"voured to obtain a conviction solely to strike the reported offence off the regis-"ter." A Circular has now issued enjoining caution generally before permitting prosecution for these offences.

False evidence and false complaints or claims (46 to 52).—Out of 176 accused persons dealt with in this group of offences, 95 were convicted. The Commissioner of the Narbada Division remarks on the subject of false evidence, "there is observable an increasing tendency to prosecute for false evidence, "and with some slight exception in the Chhindwara district the cases for "prosecution have, I believe, been judiciously selected."

The number of these offences prosecuted is still positively small. In the Damoh district a professional false witness was convicted of giving false evidence in the Civil Court for the sake of one rupee and sentenced to two years' rigorous imprisonment and fine. As a selected case, this of course was one of the very best kind. Persons who thus hire themselves out as false witnesses cannot be too rigorously proceeded against. On the other hand, the Judicial Commissioner has just had to deal with a case in which a person was prosecuted for falsely contradicting his previous complaint, which was to the effect that his nephew had assaulted him, he having in the meantime become unwilling to be the means of bringing punishment on his relation. This seems to the Judicial Commissioner to have been a very ill-selected case, and the severity of the sentence passed, viz., one year's rigorous imprisonment, quite unsuitable. This class of offence is one which must always meet with general condemnation, but amongst other reasons which make its repression difficult is the constant possibility of ill-judged prosecutions, rendering it unsafe to press the Courts to be stricter in taking notice of evidence, which may appear to be false, with a view to Criminal proceedings.

Public Nuisances (55 and 56).—There has been some increase under this head. 3,356 persons were prosecuted, of whom 3,004 were convicted. In 1870 out of some 2,956 persons accused about 2,672 were convicted.*

Nearly a third of these cases appertain to the Jabalpur district, and a half of these to the Jabalpur Cantonment. The Nagpur, Sagar, and Nimar districts divide another third of the whole between them. The number of these cases will always in the main depend upon the degree of rigour with which the Municipal Sanitary Bye-laws are enforced. This office does not know which of the bye-laws are broken most frequently, but information on this point has now been called for.

The Commissioner of the Jabalpur Division in his para. 12 notices a peculiar kind of nuisance in the Damoh district :—

> "A practice had grown up among agriculturists of burying cattle which had died of cow-pox under the thresholds of their houses, with the idea that the ravages of the epidemic would thus be checked. It was of course undesirable to interfere with a conviction of this kind, but expostulation having failed, it became necessary to resort to more active measures for the purpose of checking a practice so full of risk to the health of the community, and I believe the convictions obtained had the desired effect."

Murder (61 to 67).—The nature of the more notable murders of the year has been fully entered into in the annual report on the administration of the police. Of 181, the total number of persons apprehended, only 43 were convicted.

Assault or use of criminal force (98)—Out of 14,026 persons brought before the Courts, only 5,508 were convicted. Thus, while the proportion of persons brought before the Courts has increased 40 per cent, the proportion of acquittals has also increased, having been 61 per cent, as compared with 57 per cent in 1870. The circumstance of so many as 8,491 accused persons and probably double that number of witnesses being summoned, sometimes from long distances, for causes which at best are so trifling as to have no judicial effect, is of course very notable and has accordingly formed the subject of a good deal of

* 1,400 persons prosecuted and 1,325 convicted have been here transferred from heading 143 of last year's Statement, where they were included as accused of "other offences against Municipal and Cantonment Law."

remark in the local reports. The following extracts are given:—

[*Seoni District Report, para. 9.*]

"The increase in the number of assault cases seems due to the operation of two major and two minor causes.

"The former are:—

"1*st.*—The strict compliance observed during the year with the provisions of the law contained in Section 31 of Act VII. of 1870, 'The Court Fees Act,' which makes it compulsory on a Court, if it convict the accused, to order repayment to complainant of the fee paid on the petition. During the part of 1870 in which the Act was in force, the law on this point was not well known, and as a consequence frequently neglected, but in 1871 I have not been able to trace a single instance where the Magistrates have omitted to comply with its provisions

"There can I think be little doubt that the certainty of receiving back the institution fee has sensibly stimulated complaints of this nature. The statistics of convictions and acquittals can hardly affect this argument,—for there can be but few individuals who, when they first institute a prosecution, do not believe in their ultimate success.

"2*nd.*—The opening for work of an Honorary Magistrate's Court at Pohari. Of 78, the total number of cases decided by this Magistrate, upwards of 60 were cases of assault. Pohari is situated in the far north-east of the district and a great distance from the nearest Court, that of the Tahsildar of Lakhnadon. The records for previous years show that cases of 'minor offences against the person' from this tract of country were very rare, and long periods often passed without a single prosecution. The increase from this cause may then be measured exactly by the number of cases on the register.

"The minor causes contributing to the increase are—

"1*st.*—Assaults arising out of attempted rescue of cattle when being driven to the pound. The device of impounding your neighbour's cattle in payment of a grudge or in revenge for some slight or injury has been hit upon with an artful ingenuity, and is now the recognised mode of minor retaliation. When the owner of the cattle comes to hear of it in time, a rescue is organised, a free fight ensues, followed in natural course by a shower of petitions to the nearest Magistrate, which, though swelling the returns under Class II., is not without a certain effect in benefitting the Stamp revenue.

"2*nd.*—The condition of the people, the low price of grain, fair abundance of work, and consequent freedom from anxiety as to food and raiment have, combined, afforded much leisure to the lower classes. This they seem to have carefully utilized in quarrelling with their acquaintances, while their easy circumstances enabled them to enjoy the additional luxury of a Judicial decision on the brawl. Native opinion that I have consulted is unanimous in declaring this to be a fruitful source of this class of offence, and I may add that my own experience of the character of the Seoni people corroborates the judgment."

[*Damoh District Report, para. 25.*]

"The enormous increase under the heads of * assault * and the high ratio of discharges and acquittals under these heads have already been commented on, and there is only this to be said in favour of the Magistrates, that it is often very difficult to discriminate between a true and a false complaint. The tales are sometimes so plausible, and such an apparently good *prima facie* case is made out that really, until the story of the opposite party is heard, it is difficult not to believe the complaints true."

[*Narbada Division Report, paras. 34, 35, and 36.*]

(*Para. 34*).—"The number of discharges in Hoshangabad in offences against the person has been excessive. Under the head of assault 1,292 persons are entered as discharged, against 521 who were punished. As might have been expected, but little recourse has been had in this district to Section 270 of the Code of Criminal Procedure,

and sufficient care has not been taken to make complainants repent when they maliciously mix up several innocent persons in an assault in which perhaps only one or two were really concerned. * * *."

(Para. 35.)—"In cases which have come before me on inspection, I have not been able to find fault with the mode in which the examination of the complainant has been recorded, but I am inclined to think that Magistrates lend too ready credence to complainants, and sometimes allow summons to issue on a statement which though stoutly affirmed, is wanting in coherence and probability."

(Para. 36).—"In Nimar the proportion of acquittals and discharges in assault cases (there were 507 acquittals and discharges to 200 convictions) is even higher than Hoshangabad, and in this district also too little recourse was had to Section 270."

(Nimar District Report, para. 36.)

"The increase in the percentage of acquittals in cases of minor offences against the person shows that notwithstanding all that has been urged upon the Magistrates, they do not check the tendency to neglect the first sifting of complaints. Latterly, since every petty case has passed through my hands on its way to the record-room, there has been very great improvement, as the returns for the past quarter will testify."

The subject has heretofore received full consideration in this office, but there appear to be tendencies which practically prevent effectual control on the comparatively frivolous complaints of assault. Still, from the remarks of the Deputy Commissioner of Nimar, it would appear that something may be effected by close supervision, and it is hoped that the instructions which have been issued from this office will continue to receive due attention on the part of the Magistracy.

Defamation (102).—Only 188 persons were convicted out of 558 brought before the Courts. As remarked by the Commissioner, Narbada Division, it is satisfactory to see that Magistrates do not encourage prosecutions under this head. The following extract tends to confirm this view :—

(Seoni District Report, para. 28.)

"Ten cases of defamation involving 10 persons were brought to trial, convictions were obtained of but 2 persons, while 8 were discharged and acquitted. These offences were, one and all, the produce of the most petty malice, the object in most cases being to try and gain a verdict in the Criminal Court, and then, if successful, sue for damages before a Civil Tribunal."

"In fact such cases are quite confined to hangers on of the Courts, who seek to turn their knowledge of forms and procedure to personal profit."

Dacoity (103).—Twenty-six persons have been convicted of this offence. Of these, 11 appertain to one offence in the Seoni district. 23 persons connected with another dacoity in the same district were tried and convicted by the Court of Session on the alternative charge of dacoity and dishonestly receiving stolen property. The prosecutions in this district appear to have been particularly successful. The details of these and other cases have been fully given in the Police Report.

Theft (ordinary) and house breaking or house-trespass in order to commit theft (116 and 111).—While reported offences under these headings increased from 14,560 in 1870 to 15,591 in 1871, the number of persons arrested has fallen from 9,396 to 8,690, of whom only 6,268, or 72 per cent, were convicted, as compared with 76 per cent in 1870. While reported crime under these heads has increased, the proportion of arrests and also the proportion of convictions

have fallen off. The reports show that during the past year reporting of crime became from certain causes more general, in several districts extending to cases which in former years had not ordinarily come within the cognizance of the police, owing probably to their comparative unimportance or to the absence of substantial clue to the offender. Several reports blame the police for not maintaining the ordinary proportion of arrests, and in one or two districts, particularly in the Narbada Division, there appears to have been ground for this. But elsewhere the diminished proportion of arrests was perhaps only a natural result of such extended reporting. The Deputy Commissioner of Seoni in his para. 30, however, has one remark which seems to have a practical value and is accordingly extracted below:—

> "The Police fail too, from a want of hearty co-operation with the village Kotwals. This useful body, who in 75 cases out of a hundred, if not the thieves themselves, can give a shrewd guess as to the actual perpetrators, are not managed with sufficient tact and discrimination. They are also harassed about the punctuality and completeness of their reports, especially in the matter of vital statistics. For this however, the police cannot be blamed. The rendering of these reports requires an effort of memory and thought (being unable to write) to which the Kotwal is averse. The tendency is then to engender an antagonistic feeling on the Kotwal's part towards the police, the result being that with every show of assistance, little real aid is given in the detection of crime."

As regards the convictions, they too would also be proportionately less as reporting of crime becomes beyond a certain point extended, and if allowance be made for discharges at the instance of the police, the action of the Courts in this class of offence shows as favourably as can perhaps be expected.

Cattle theft (*115*).—Out of 1,493 persons apprehended 976 were convicted. The following extract from para. 12 of the Sambalpur district report is given, as it apparently illustrates the cause of the high proportion of convictions.

> "The Police arrested a man against whom upwards of 7 offences under this head were afterwards established, and these offences, though they had actually occurred in previous years, had not been reported or entered in our returns (the owners of the cattle believing them to be lost, not stolen), and had consequently to be shown as having taken place during the past year. The crime of cattle theft is not one which has ever been very common in this district, but the case of this man shows how difficult it is to get strictly correct returns of the crime which actully does take place. The whole of the cattle of a village are sent out together to graze, as a rule, with perhaps two or three boys to watch them, but at this season, when all the crops are off the ground entirely untended, and in the evening when a villager finds that one or two head belonging to him have not returned with the herd, it is utterly impossible for him to say whether they have merely strayed or have been stolen. He accordingly makes no report to the police, but if possible starts off himself in search, and when they have been stolen very often succeeds in tracing the offender, whom he now makes over to the police. In this way the proportion of convictions under this head is generally also high. At the same time, however, I think that the police action in regard to this class of offences was particularly good during the past year, and their arrest of the man before referred to, who was a cowherd exercising his profession in the jungles which lie between the Khalsa and the Feudatory State of Bamra, and in whose possession a large number of stolen cattle were found, is certainly creditable, and will no doubt be followed by good results."

Dishonestly receiving stolen property (*117*).—Only 708 persons were prosecuted as compared with 868, and 491 convicted as compared with 616, in 1870. The Commissioner of the Narbada Division remarks to the effect that the number is so small as to lead to apprehension that the presumption that the person in possession of stolen property is the actual thief has occasionally been pushed too far.

Vagrancy and bad habit and repute (133 and 134).—Out of 203 persons prosecuted only 78 persons were required by the Magistracy to furnish security. This last figure is exactly the same as in 1870. The following extracts are given from the local reports in connection with this subject :—

(Nagpur District Report, para. 7.)

"The next point calling for remark is the increase of cases reported under the head of bad livelihood. There were 14 cases reported in 1871 against 3 in 1870. The number still seems small for a district like Nagpur, which might reasonably be supposed to contain a large number of such characters; yet out of a total of 14 brought up, only one was required to furnish security, the evidence against the remainder not being considered satisfactory. This clearly shows that there has still been experienced the same difficulty in inducing respectable witnesses to bear testimony against offenders of this stamp, as was brought to notice in the last report of the Deputy Commissioner of Chhindwara. The members of this most dangerous class are presumably desperate characters, and respectable men have a natural aversion to running the risk of becoming the objects of their revenge when no immediate advantage seems to them to be gained thereby. The consequence is that the evidence brought forward by the police is generally of a most worthless sort, and the Magistrates rightly consider it unsafe to convict on the statement as to character made by men who are from amongst the very dregs of society and evidently little better than the accused themselves."

(Nagpur Divisional Report, para. 18.)

"I would also notice para. 7 of the Officiating Deputy Commissioner's report for Nagpur. You will observe that in all the districts of this Division, 64 persons were brought before the Magistrates under Sections 295 and 296, Code of Criminal Procedure, of whom security was taken from 16 only. Considering that there is notoriously a large number of 'Budmashes' in many towns and large villages whom it would be very desirable to bring under the provisions of one of the two Sections above quoted, this result is not satisfactory. But, for the reasons stated by Mr. Tawney, it is difficult to obtain satisfactory evidence in this class of cases."

(Seoni District Report, para. 16.)

"In vagrancy and bad habit and repute the cases sent in by the police, though more numerous, have not had a better result. The police without question fail here, but it is difficult to procure evidence. The very inflammable houses in which all classes of the population dwell make them exceptionally fearful of fire, and the individual whose statement secures a conviction is sure, sooner or later, according to immemorial Seoni custom, to have his house burnt over his head.

"This I have heard over and over again from men of standing and independence. Time will probably work a cure for this, but at present I see little hope that the police will be able to show any decided progress in preventive measures of this variety."

The Commissioner of the Narbada Division in his para. 4 makes a good suggestion in the following terms :—

"Magistrates often complain that the Police do not send up cases of bad livelihood, but it may be asked why do not Magistrates take such cases upon their own motion in their tours. The village is the place of all others where such cases can best be investigated, and if Magistrates in Camp would only look carefully for indications of the existence of professional criminals, they would soon render such persons harmless for the future. Under the present police system, Deputy Commissioners on tour are apt to forget that they are the chief Executive as well as Judicial authorities in their districts in Criminal matters."

In the new Code of Criminal Procedure the scope of the sections relating to security for good behaviour (Chapter XXXVIII.) is considerably wider than that of the corresponding sections of the existing Code, and perhaps prosecutions under them may be more frequently successful.

Breaches of Laws relating to salt (137).—985 persons were brought before the Courts, as compared with 693 in 1870; as usual the most of these (934) were convicted. Under this head the following extracts from the local reports are given :—

(Sambalpur District Report, para 13.)

There has again been a great increase in the number of offences, and I have already mentioned that I think this increase is probably due to an augmentation in the strength of the Customs Department, which I believe to have been recently made; but it is impossible for me to assign any very definite reason for fluctuations in this class of offence, as they must depend chiefly on the action taken by the Customs Department, of which nothing is known to me. One thing, however, is certain, that smuggling is practised along the whole length of the Customs line to an extent which must tend to demoralise and degrade the people in no ordinary degree, for it is not the criminal classes of the district who are brought before our Courts for offences of this nature, but chiefly cultivators, persons to whom the idea of committing crime has perhaps never before occurred. In a previous part of this report I have mentioned that in the neighbourhood of the Customs line the Gandas were believed to have taken to smuggling instead of thieving, but these men seem to be able successfully to evade capture, for it is seldom if ever that any of them are challaned by the Customs Department, while on the other hand scarcely a day passes in which some Koltas, Saonras, or persons belonging to the other ordinary cultivating castes, are not sent up for trial, and the constant plea made by these men is either that they could by no other means procure a supply of salt for the daily requirements of their families, or that they had no other way of disposing of the surplus produce of their lands than the old plan of bartering it for salt, which they could only do at villages beyond the Customs line, as no salt is now brought to the weekly markets which are held at places within Customs jurisdiction. There can then I think be no doubt but that the existence of the Customs line in a district like this is a fact which is much to be deplored. Fiscal considerations may of course render its maintenance absolutely necessary at the present time, but as a Magistrate I cannot help expressing the hope that ere long measures will be devised for raising the required revenue from salt by some method which will render it possible to sweep away the line and all its attendant evils."

(Chattisgarh Divisional Report, para. 28.)

" It is much to be regretted that it has been found necessary to institute so many prosecutions under the salt law, but smuggling seems to be upon the increase and the Customs authorities have no option in the matter; smuggling must be repressed. I can quite understand Captain Bowie's wishing that the line passed elsewhere than in his district; there never was a Magistrate that held a different opinion. It certainly would be an unspeakable boon to the people were it practicable to tax salt at the production head.

The matter doubtless has the Chief Commissioner's attention.

Breaches of Forest Law (145)—570 persons were brought before the Court, as compared with 613 in 1870. The convictions were 407, as compared with 521.

The Deputy Commissioner of Bilaspur in his para. 25, referring to the large proportion of acquittals under this head in his district explains :—

" That the information was laid by a man who had only lately been put in to act as Forest Darogah during the temporary absence of the Daroga. He proved himself too zealous, and caused people to be prosecuted unnecessarily, as the small bits of timber that were found in their possession were not proved to have been got from the Government unreserved forests."

It is to be feared that there is always some danger of people being thus harassed. The Deputy Commissioner of Damoh notices the matter in his

district also, where prosecutions were allowed by Subordinate Magistrates without due examination of the complaining official before issue of summons, and where accordingly there was little result except harassment of the people.

Prosecutions under the Cattle Trespass Act (151).—484 persons were prosecuted under Act I. of 1871, of whom 252 were convicted. This Act has supplied a defect in the jurisdiction of the Criminal Courts which was frequently felt in dealing with cattle trespass cases.

Prosecutions under the Income Tax Act (159).—Only 90 persons were prosecuted and 76 convicted, as compared with 580 and 483 respectively in the previous year. This is satisfactory.

General results of prosecutions.

24. Altogether, 45,175 accused persons were apprehended, and brought before the Courts, as compared with 40,534 in 1870. Of these 18,324, or 40·6 per cent, were acquitted or discharged, and 26,457, or 59 per cent, convicted, as compared with 35 and 64 per cent. respectively in 1870. The decrease in the proportion of persons convicted seems due, as above indicated, chiefly to two causes, first to a remarkable increase in the number of prosecutions instituted for petty offences against the person, of which as usual the larger proportion resulted in acquittal or discharge, and secondly to a more extended reporting of crime having brought within the cognizance of the police in a greater proportion than formerly those offences which from their nature are difficult of successful prosecution.

D.—Punishments.

Kinds of punishment.

25. Firstly, as regards the *kinds* of punishment ordered in the sentences of the Courts, the number of persons sentenced to each kind of punishment are compared in the following Table with the corresponding figures for 1870 :—

		1871.	1870.
a. Fined ...	Fined only ...	17,612	15,621
	Fined and whipped	2	20
	Total ...	17,614, or 67 per cent.	15,641, or 61 per cent.
b. Imprisoned.	Imprisoned only..	4,252	4,220
	Do. and fined..	1,387	1,489
	Do. and whipped	277	395
	Total ...	5,916, or 22 per cent.	6,104, or 24 per cent.
c. Whipped ...	Whipped only ...	2,801, or 11 per cent.	3,768, or 15 per cent.
d. Transported.	Transported (terms)	6	2
	Do. (life)	14	40
	Total ...	20	42
e. Death		22	31
	Total...	26,373	25,586

Variations in the proportions fined, imprisoned, and whipped.

26. The change in the proportions of persons fined, imprisoned, and whipped correspond in the main with the altered proportions of persons convicted of different classes of offences. Convictions for "minor offences against the person" and for "breaches of Municipal Law" have increased about 2,000, and so also has the number of persons

punished with fine only. Convictions for theft and house-breaking in order to the commission of theft have decreased by 838, which goes far to account for the reduction of 1,100 in the total number of persons sentenced to be whipped. The decrease in the number of sentences of whipping is commented upon in several of the reports some officers being of opinion that the number of such sentences might properly have been greater. But at the same time it is to be remembered that the extended reporting of the past year is believed to have resulted in many cases being taken up of a description which would probably not have been presented in former years, and some of these would be cases in which a discriminating Magistracy might hesitate to inflict sentences of whipping. On the other hand, the Commissioners of the Narbada and Jabalpur Divisions seem to think that in the Nimar, Betul, and Mandla districts whipping might have been selected as a punishment even less frequently than it was. On the whole then, there seems to be no ground for concern at the reduction in sentences of whipping, especially as it has not been attended with any increase in the number of persons imprisoned. An exact comparison of the persons whipped with those liable to be whipped is not feasible, for it has again been found that the rules regarding the registration of statistics bearing on this matter have been imperfectly attended to. But from a general reference to the convictions for whippable offences, it can be confidently assumed that the proportion of those liable to whipping who are actually whipped is not excessive.

Solitary confinement.

27. 177 persons were sentenced to solitary confinement. This is a small number. More frequent resort to this punishment was enjoined by Circular in the course of the year; but it may be said that, except in the Jabalpur and Betul districts and in the Courts of Session, the punishment of solitary confinement has very rarely been adjudged. Some districts, however, are not yet provided with solitary cells, and that is doubtless to some extent a reason why solitary confinement is not more frequently awarded. The following remarks by the Deputy Commissioner, Seoni, and the Commissioner, Jabalpur Division, are extracted from their reports:

(Seoni District Report, para. 34.)

"Eight persons were sentenced to this punishment in addition. The means for carrying out sentences of solitary confinement at the disposal of the jail authorities are imperfect, and an award of this kind frequently involves the prisoner's transfer to a Central Jail. Under these circumstances I have not encouraged the Subordinate Magistrates of the 1st Class to inflict this punishment, their sentences being under six months; a constant transfer of short termed convicts would be expensive and inconvenient. I may mention that I have strong doubts as to the efficacy of solitary confinement, particularly in the case of Gonds and other aboriginals, who form so large a proportion of our prisoners. Some Gonds, who were undergoing their sentence in the Seoni Jail, expressed positive pleasure at the state in which they found themselves, were distressed when the term was over, and accepted a renewal with alacrity. Their minds seemed a perfect vacuum, and they dozed through the day with evident contentment."

(Jabalpur Divisional Report, para. 14.)

* * * * *

"The Deputy Commissioner of Seoni has some remarks on the inefficacy of solitary confinement as a penalty in the case of Gonds and other hill men. I can readily imagine that men whose occupations cause them to lead a lonely life in remote jungles, and who possess very little mental activity, should not fear solitude, and should therefore appreciate the advantages of working in a quiet regular way instead of being exposed to the sun and driven by overseers, and I know from experience that Captain Brooke's theory has supporters elsewhere. It seemed, however, so opposed to all theories of

human nature that solitude should not be an aggravation of prison discipline, that I took the opportunity of a visit to Seoni to interrogate a prisoner at the time under solitary confinement. He was a man of low class (a Kotwar) and, judging from his appearance, not one likely to indulge his imagination. But when asked how he liked seclusion, he complained bitterly of his sleepless nights, disturbed by visits from dead and half forgotten members of his family, and petitioned for a reduction of his term of solitary confinement. I believe it is more from inadvertence than any other reason that Magistrates neglect to avail themselves of this salutary provision of the law."

Transportation.

28. The reports do not explain why six persons have been sentenced to transportation for terms of years. The attention of the Courts by which these sentences were passed has now been drawn to Resolution of the Government of India, No. 2034, dated 28th December 1868.

Compensation to injured parties.

29. Rs. 12,616 were ordered by Magistrates, and Rs. 351 by Courts of Session, to be paid from fines as compensation to complainants or injured parties, as compared with Rs. 11,201 and Rs. 1,117 respectively in 1870. In some districts* too little use has apparently been made of the provisions of the law on this head. The attention of the Magistrates there has been drawn to the subject.

* Bhandara, Nimar, Chhindwara, Bilaspur.

Compensation for frivolous or vexatious complaints.

30. Rs. 575, as compared with Rs. 383, have been awarded to accused persons as compensation for frivolous or vexatious complaints. The amount is very small. Only in the Nagpur, Narsinghpur, Jabalpur, Betul, Chhindwara, Sagar, and Sambalpur districts was compensation awarded in anything like a fair number of instances.

Security for good behaviour.

31. 66 persons were required during the year to give security for good behaviour. In 1870 the number was 85. The action of the Courts under this head has already been fully commented upon in Section C. of the report.

Bond to keep the peace.

32. 36 persons, as compared with 20 in 1870, were required to enter into bond (22 with sureties) to keep the peace. In respect of 15 of these the precaution was taken before any actual breach of the peace had occurred, and in the case of the others the order was passed as an additional sentence on conviction for a breach of the peace already committed.

Degrees of punishment.

33. *Secondly*, as regards the degrees of punishment inflicted, the following remarks are offered:

Fines.

79 per cent of the persons fined were fined only, or with imprisonment, in sums of Rs. 5 and under. The figure ranges from 86 per cent in the Nagpur, Chanda, Jabalpur, and Bilaspur districts to 68 per cent in the Balaghat district. In 1870 the general figure was 76 per cent. Fines have therefore been on the whole a little lighter than in 1870. In former years some apprehension arose that the bulk of the smaller fines comprised many which were yet too heavy with reference to the poverty of those on whom they were inflicted, and the Magistracy were specially addressed on the subject. The reports for 1871 do not advert at any length to this point. But the figures would indicate that it has received attention, though it seems to be admitted that the fines in the Balaghat district were still too heavy. On the other hand, the Commissioner of the Narbada Division, treating of one particular class of fines, *viz.*, fines inflicted on persons convicted of offences the object of which is gain, is inclined to think that in fixing the amount of fine, Magistrates do not always have sufficient regard to the value of the property stolen and to the propriety of providing by a sufficient fine for compensation to the injured party.

There were only 160 instances of fine exceeding Rs. 50, *prima facie* a small number. There were 845 fines ranging between Rs. 20 and Rs. 50, and 2,983, or 16 per cent of all fines, between Rs. 20 and Rs. 5.

Improved system of realizing fines.

34. During the year the system of realizing fines was improved. Each Magistrate's Court is now responsible that due steps are taken for the realization of its fines. Formerly it rested with the Magistrate of the District to take proceedings in the matter for all Courts in his district.

Account current of fines.

35. Statement IIIA. enables the following account to be presented:—

	Rs.		Rs.
* Outstanding at the close of 1870.	87,868	Realized during the year. For the year	94,259
Imposed during the year ...	1,14,850	Arrears	9,228
		Remitted (excluding Rs. 431 realized before remission and therefore included above.)	5,822
		Struck off as unrealizable†	23,903
		* Outstanding at the close of 1871.	69,506
Total ...	2,02,718	Total ...	2,02,718

Thus an amount (Rs. 1,03,487) equalling 90 per cent of the fines imposed during the year was realized. In 1869 the realizations amounted to 79, and in 1870 to 81 per cent. The realizations have therefore considerably improved. This seems to be owing chiefly to the improved system of realizing adverted to above, for while in 1870 only Rs. 3,074 were realized on account of fines of previous years, Rs. 9,228 were so realized in 1871, of which 5,146 appertain to one district alone, the district of Hoshangabad, where the work of realizing fines had previously been comparatively neglected. The districts in which the proportion of realizations is lowest are the following, *i. e.*, Chanda 73 per cent, Jabalpur 76 per cent, Nagpur 78 per cent. This is remarkable, inasmuch as these are also districts in which, as above observed, the proportion of fines not exceeding Rs. 5 was highest. In the Nagpur district, however, there were heavy remissions on appeal. Hoshangabad still shows worst in the outstanding column. The outstandings of the Nagpur, Sagar, Jabalpur, Raipur, Wardha, Bilaspur, and Chanda districts are also large. Under the new system, while the realization of new fines does seem to bear a good proportion to the amount imposed, it may be expected that the arrears also will be reduced to proportions which can be regarded as fair and reasonable.

Imprisonment

36. The figures below indicate the degrees in which imprisonment was inflicted:—

TERM OF IMPRISONMENT.	1870.		1871.	
	Number of persons imprisoned.	Percentage to whole.	Number of persons imprisoned.	Percentage to whole.
Not exceeding 15 days	1,166	19·1	1,100	18·6
Do. 2 months	2,275	37·3	2,137	36·1
Do. 6 do.	1,869	30·6	1,950	32·9
Do. 2 years	682	11·2	585	9·8
Do. 7 do.	112	1·8	144	2·6

* In some districts the outstandings have seemed doubtfully correct. They are being subjected to further check.
† Accumulation of several years. Realization barred by apse of time.

It will be seen that the proportion of the highest degree of imprisonment (above two years) has increased; also the proportions of imprisonment not exceeding two months have decreased.

The following Statement shows how the incidence of imprisonment of the several degrees varied in the several districts :—

DISTRICTS.	Percentage of imprisonment.			
	Above six months.	Six months and under.	Two months and under.	Fifteen days and under.
Nagpur	12·	33·	29·5	25·5
Chanda	8·	37·	38·5	16·5
Bhandara	4·	28·	48·	20·
Wardha	8·	19·4	33·	39·6
Balaghat	3·5	17·	60·5	19·
Jabalpur	11·5	29·8	40·	18·7
Sagar	11·	28·2	32·3	28·5
Damoh	6·	43·	34·	17·
Seoni	16·	47·4	26·6	10·
Mandla	4·3	19·2	49·	27·5
Hoshangabad	8·	38·	32·	22·
Betul	8·	26·	51·4	14·6
Narsinghpur	12·6	41·	27·1	19·3
Nimar	11·3	27·	41·3	20·4
Chhindwara	7·5	29·5	40·	23·
Raipur	·5	42·	42·	11·
Sambalpur	8·3	42·2	36·	13·5
Bilaspur	·7	32·	51·	10·
Upper Godavari	10·5	52·5	37·	...

The large proportion of imprisonments for 15 days and under in the Nagpur, Wardha, Sagar, and Mandla districts is remarkable, and the advisability of selecting such short terms of imprisonment as the punishment in so many cases seems questionable.

Again the large divergence in the proportion of imprisonments for two months and under in Mandla (76), Balaghat (80), Wardha (73), Bhandara (68), on the one hand, and in Seoni (36), Narsinghpur (46), on the other, is not readily accounted for. Also Seoni is not the district where one would expect to see the largest, nor is Bhandara the district in which one would look for the smallest proportion of imprisonments for periods exceeding six months. Each year exhibits excessive inequalities of this kind though the attention of the Magistracy has been drawn to them.

Adequacy of punishments.

37. The Commissioner of the Narbada Division has some remarks on the inadequacy of punishments inflicted in his Division in cases of heavy thefts, and burglaries and in cases of second conviction. Special enquiry is now being made into the manner in which second convictions are treated by the Magistrates generally. In some such cases which recently came before the Judicial Commissioner proper severity had been used, but it will be seen whether this is the rule or the exception and such instructions as may be necessary will be issued. Cases of the kind referred to by the Commissioner of the Narbada Division, that is to say, heavy thefts and burglaries and cases of second convictions of offences against property, certainly require to be treated with severity, and cases of second or subsequent convic-

tion with exceptional severity. Occasionally cases of this kind may be, and, indeed it would appear, have been slurred. In Hoshangabad the general laxity which pervaded the Judicial and Police administration of the district may doubtless have been a cause of this; but it may be hoped that no general tendency exists among the Magistracy of these Provinces to overlook the obligation which belongs to them of dealing out due and exceptional severity to offenders who by reason of the special circumstances of the convictions may justly deserve it. The point is not specially noticed in the other Divisional reports, and there seems to be a general agreement that petty and first offences against property have met with suitable sentences. The Commissioner of the Jabalpur Division alludes to some inadequate sentences in certain cases of grievous hurt. These seem to have occurred in the Damoh district. But the general opinion would appear to be that offences against the person also are as a rule adequately punished.

Whipping.

38. Only 8 per cent of persons whipped received more than 20 stripes; it was 12 per cent in 1870: 44 per cent received less than 10 stripes; it was 41 per cent in 1870: 48 per cent received more than 10 and less than 20 stripes; the percentage in 1870 was 47. The general tendency in 1871 was therefore slightly towards leniency. Here too the standard in districts differs to an extent for which there is theoretically no sufficient reason, as will be seen from the following figures:—

	Percentage above 20 stripes.
Bilaspur	26
Jabalpur	14
Sagar	13
Damoh	13
Nimar	1
Bhandara	2
Mandla	2
Raipur	5

39. The reports, while referring to inadequacy and adequacy, do not refer to over adequacy of punishments, which forms ground for equal concern. But the Judicial Commissioner is glad to think that cases in which the severity exercised is palpably inconsiderate and excessive are not frequent, though they do occasionally occur.

E.—Witnesses.

Average detention.

40. 80,159 witnesses appeared before the Magisterial Courts and 2,231 before the Courts of Session. Of those who appeared before the Magistrates, 71,999, or nearly 90 per cent, were examined and discharged the same day they attended, 6,163, or 7·6 per cent, were detained two days, and 1,997, or 2·4 per cent, were detained beyond two days. In 1870 out of 69,095 witnesses, 88 per cent were discharged on the first, and 9 per cent on the second day, 3 per cent being detained beyond two days. Thus the results of 1871 show a little better than those of 1870, and the latter were considered very satisfactory. The rules for calculating and registering the attendance of witnesses were revised during 1871, and the improved result of the year may be due in part to a concession, whereby, in case of a witness being required to attend again after an adjournment which allows him time to return to his home, the days he may spend at home are excluded from the period of detention.

41. The following districts show best in respect of non-detention of witnesses:—

Detention in various districts.

Districts.	Total number of witnesses.	Percentage discharged in one day	Number detained beyond two days.	Number detained beyond four days.
Jabalpur	8,225	97	27	8
Damoh	2,934	95	20	8
Bhandara	3,677	94	35	...

The following districts show badly, and the respective Commissioners have been addressed on the subject:—

Districts.	Total number of witnesses	Percentage discharged in one day.	Number detained beyond two days.	Number detained beyond four days.
Mandla	2,273	73	206	17
Chhindwara	3,055	78	225	37
Betul	2,420	81	113	32
Bilaspur	4,076	84	149	18

In the following districts also witnesses seem to have been detained beyond four days rather more frequently than they should be, viz., Hoshangabad, Sambalpur, and Chanda, where respectively 32, 25, and 23 witnesses were kept in attendance more than four days.

The 24 witnesses detained beyond four days in the Sagar district all appertained to one case described as long and intricate, involving 15 accused persons.

42. Only Rs. 396 were paid by Magisterial Courts as diet money to witnesses during the year. Practically then, the suspension of the rules on the subject prescribed with the sanction of the Government of India under Section 438, Criminal Procedure Code, which suspension until the end of the financial year 1870-71 was directed in your office Circular No. 23, dated 30th March 1870, continued, and apparently this has been owing to the absence of provision for the needful expenditure in the several district budgets. The Judicial Commissioner thinks that the rules should become operative as soon as funds can be provided, and the Chief Commissioner has been separately addressed on the point.

Expenses of witnesses.

F.—Appeals, References, and Revision.

43. Appeals were preferred by 1,522 out of 26,036 persons convicted, or about 6 out of every 100 convicted. The proportion is the same as in the previous year.

Proportion of appeals.

Appeals from sentences by Courts of Honorary Magistrates and from Courts of paid Subordinate Magistrates average about 5 per cent of convictions, while appeals from Courts of Stipendiary Full Power Magistrates average about 7·3 per cent. In respect of appeals from sentences of Full Power Magistrates, if the number were compared with the appealable sentences only (sentences not exceeding imprisonment for one month or fine of Rs. 50 not being appealable), then the proportion appealed would be somewhat higher than 7·3 per cent.

Result of Appeals.

44. The sentences of the different classes of Courts were confirmed on appeal in the following proportions :—

	Total number of persons whose appeals were disposed of.	Percentage confirmed.
Courts of unpaid Subordinate Magistrates	324	49
" Stipendiary do.	589	62
" unpaid Full Power Magistrates	59	73
" Stipendiary do.	530	59
" of Session and Magistrates of Districts in the exercise of special powers under Section 445 A, Criminal Procedure Code.	254	82

As might be expected, the percentage confirmed is greatest in the case of sentences by the highest class of original Court, viz., the Court of Session. While the proportion in which the orders of the Subordinate Magistrates were confirmed was lower in the case of Honorary than of Stipendiary Magistrates, the reverse was the case in respect of Full Power Magistrates. Of the appeals from Honorary Magistrates of full powers, 33 were from sentences by the Nagpur Bench of Magistrates, and 12 from Kazi Azizul Rahman Bahadur, of Burhanpur, and of these 75 per cent were confirmed.

The sentences of the Subordinate Stipendiary Magistrates were confirmed in a larger proportion of cases than sentences of Stipendiary Full Power Magistrates. The judgment of the Full Power Magistrates is at least equal to the judgment of the Subordinate Magistrates, but the sentences of Full Power Magistrates come before a higher class of Appellate Court.

The increase in appeals.

45. The following figures show the number of persons who appealed to the different classes of Criminal Appellate Courts in 1870 and in 1871 :—

	1870.	1871.
Courts of Magistrates of Districts ...	710	921
Courts of Session	552	601
Court of the Judicial Commissioner ...	208	255

It thus appears that the increase in appellate business which was noticed in the report for 1870 still continues.

Facilities for appeal by prisoners

46. During the year the rules affording facilities to prisoners desirous of appealing were slightly modified by the Chief Commissioner's Book Circular XVII. of 3rd July 1871. The effect was, while providing every facility to prisoners either to draw up their own appeals or to procure extraneous aid for the purpose, at the same time to restrict

the assistance which had previously been given by the Jail writers, to the cases of those prisoners only whom the Jail Superintendent might see to be quite incapable of otherwise getting their appeals written out.

Reference.

47. During the year orders were passed by this Court as a Court of Reference on 24 sentences of death (2 being of 1870) passed by Courts of Session. In respect of 16 persons the sentence of death was confirmed, in respect of 7 modified, 6 to transportation for life and 1 to rigorous imprisonment for one year, and 1 sentence was reversed.

Revision.

48. The cases of 126 persons came before this Court as a Court of Revision. The proceedings of the Lower Courts in respect of 12 persons were quashed, the sentences against 7 were modified, against 63 reversed, and in respect of 42 confirmed. As usual a number of cases were also examined on which special orders were not deemed necessary.

G.—Duration of Cases.

Police cases, &c.

49. *Statement 4A.*—The corresponding Statement of previous years (7A.) showed the duration only of cognizable cases sent up for Magisterial enquiry or trial after previous enquiry by the police. Statement 4A., however, shows the duration of all cases which are sent up for Magisterial orders after previous enquiry by any authorized official, whether Police, or Salt Customs, or other Revenue officer, or another Court. Also Statement 7A. showed the duration only of those cases in which an accused person was actually brought before the Magistrate, and in which the Magistrate himself conducted an enquiry or trial, whereas Statement 4A. includes as cases the proceedings of Magistrates who, on mere perusal of the record of a police enquiry, confirm the discharge of an accused person previously released by the police on bail or recognizance. As summary orders of this kind can readily be passed on the day of receipt of the police report, and as Salt Customs cases, even more generally than police cases, can be disposed of in one day, the average duration of the cases now returned in Statement 4A. should have been less than in Statement 7A. of former years. The average duration, however, of Statement 4A. cases has been 2·6 days, whereas the duration of Statement 7A. cases in 1870 and 1869 respectively was 2·3 and 2·4 days. The result is not satisfactory.

Average duration in different districts.

50. The average duration, however, varies greatly in different districts. In the following districts it was much too high :—

	Number of cases in Statement 4A.	Average duration.
Mandla	305	5·1
Bilaspur	590	5·
Betul	372	4·3
Hoshangabad	682	3·1
Chhindwara	396	3·1
Narsinghpur	832	3·

The only districts in which the average duration has been kept satisfactorily low are—

	Number of cases in Statement 4A.	Average duration.
Jabalpur	1,537	1·4
Sambalpur	527	1 4
Nagpur	1,312	1·9

51. As cases of the kind returned in Statement 4A. are sent in to the Magistrates with the accused and witnesses as complete for Magisterial investigation and order as to the makers of the preliminary enquiry may have appeared possible, and as Magisterial duration is only calculated in police cases from receipt of the completed police report, and in other cases from the date on which the accused reaches or is bound by bond to attend the Magistrate's Court, so it follows that the bulk of these cases should be disposed of either on the first day which as above is reckoned as Magisterial duration, or, if the Court be engaged at the time the case arrives, then on the second day. Of course in some cases, by reason of defectiveness in the original enquiry or a change in the line of defence (for ordinarily an accused's witnesses are or should be sent in with the case), it may be necessary to order an adjournment and call for further evidence. Circumstances of this kind would probably account for the delay in many of the longer cases, but on a *prima facie* view cases of 3 or 4 days' duration should be few, because the cases as sent up should ordinarily be disposed of on the first or second day, and fresh evidence could seldom be obtained before the fifth day; and so also cases of longer duration than fourteen days should be few, because any additional evidence required could generally be obtained within that period.

Proper durations.

52. The following figures show the Provincial results tested according to the above view :—

Actual durations.

Total number of cases in Statement 4 A.	Disposed of in one day.		Disposed of on 2nd day.		Disposed of on the 3rd or 4th day.		Disposed of in from 5 to 14 days.		Disposed of in more than 14 days.	
	Number of cases.	Percentage.	Number of cases.	Percentage.	Number of cases.	Percentage.	Number of cases.	Percentage.	Number of cases.	Percentage.
12,510	8,759	70	1,405	11	921	8	1,102	9	323	2

The proportion decided in one day is the same as of Statement 7A. cases in 1870 and in 1869, but as explained above a larger proportion might have been expected.

The proportion (11 per cent) decided in two days is lower than of Statement 7A. cases in 1870 and 1869, when respectively 13 and 12 per cent were disposed of on the second day.

The Judicial Commissioner believes that the bulk of the 921 cases disposed of on the third and fourth day ought to have been disposed of on the first or second day, and that 323 cases is a much larger number than need have been prolonged for over a fortnight.

Details of durations in districts.

53. Tested in detail, as above, the following districts show badly :—

Districts.	Total number of cases in Statement 4A.	Disposed of in 1 day.		Disposed of in 2 days.		Disposed of in 3 and 4 days.		Disposed of in from 5 to 14 days.		Delayed more than 14 days.		Courts with excessive average durations.
		Number	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	
Mandla ...	305	151	50	56	18	40	13	29	9·5	29	9·5	Colonel Wood, Deputy Commissioner, and Tahsildars Kabir-ud-din Husein and Maksud-ul Husein.
Betul ...	372	155	42	80	21	45	12	67	18	25	7	Messrs Gopal Rao and Liladhar, Extra Assistant Commissioners, and Tahsildar Ajudhia Parshad.
Bilaspur ...	590	272	46	92	16	57	10	121	20	48	8	Mr. Beddy, Deputy Commissioner, Mr. Bose, Extra Assistant Commissioner, and Tahsildars Abdul Subhan, Krishen Rao and Muntazim-ud-din
Chhindwara...	396	223	56	56	14	40	11	64	16	13	3	Mr. Liladhar, Extra Assistant Commissioner, and Tahsildars Amrit Rao and Sheo-lal Dubi.
Seoni ...	483	301	62	81	17	55	11	36	8	10	2	Mr. Ali Husein Khan, Extra Assistant Commissioner.
Hoshangabad	682	399	59	101	14	60	9	97	14	25	4	Captain Hogg Asst. Commissioner and Tahsildar Ram Dyal.

The following are the districts which show best :—

Districts.	Total number of cases in Statement 4 A.	Disposed of in 1 day.		Disposed of in 2 days.		Disposed of in 3 and 4 days.		Disposed of in from 5 to 14 days.		Delayed more than 14 days.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.	No.	Percentage.	No.	Percentage.
Jabalpur ...	1,537	1,316	86	98	6·5	61	4	53	3	7	·5
Sambalpur ...	527	460	87	29	5·5	19	4	16	3	3	·5
Chanda ...	699	564	80	43	6	32	5	47	7	13	2

The excessive delays in the Narbada Division have been taken special notice of by the Commissioner, and the Judicial Commissioner also has addressed Commissioners on this subject, and he trusts that general improvement will be effected during the current year. The Magisterial performance of officers who habitually defer the disposal of cases of this class, that is, cases coming before them with

the materials for disposal complete, is certainly bad. Such a method of work ought not to be permitted by Magistrates of Districts, and the Judicial Commissioner is greatly concerned to find that, notwithstanding the instructions which have duly been given in the course of supervision by this Court, such a method should still obtain in Magistrate's Courts.

Duration in other than Police cases, &c.

54. *Statement 4B.*—This Statement shows the duration of all cases taken up directly by the Magistrates, whether with or without complaint. It differs from Statement 7B. of former years in excluding Salt Customs cases and others received after previous authorized enquiry, which are now shown with Police cases in Statement 4A.

The average duration of the cases shown in Statement 4B. is nine days, as compared with 8·3 and nine days, the average duration of Statement 7B. cases in 1870 and 1869.

The result seems satisfactory as nine days is not in itself a high average, and the lower average of 7B. cases in 1870 seems more than explained by the inclusion of the Salt Customs cases, which are generally decided on the day they reach the Magistrates.

Average duration in districts

55. The following are the districts in which the average durations are considerably below the Provincial average :—

	Number of cases in Statement 4B.	Average duration in days.
Jabalpur	835	6·5
Hoshangabad	870	7·6
Nimar	466	7·2
Upper Godavari	97	3·7

In the following districts the average duration considerably exceeds the Provincial average :—

	Number of cases.	Average duration.
Mandla	79	15·
Bilaspur	135	13·6
Betul	102	12·5
Balaghat	94	12·5

It will be observed that these are districts in which the duration of Statement 4A. cases also was high.

It is not quite understood how in some districts so many cases could have been disposed of in one and two days. Notice has been taken of the matter.

Duration in Courts of Session.

56. The average duration of trials in the Sessions Courts of Commissioners of Division was 52 days, as compared with 56 in 1870. It may be noted that this figure only shows the duration subsequent to Magisterial commitment of the cases to the Courts of Session for trial. The length of this duration is due to the cases, after commitment, having to remain pending till the Sessions Court next visits the respective District Head Quarters on circuit. The average duration in each Court was as follows :—

	1870.	1871.
Nagpur	36	37
Jabalpur	76	38
Narbada	56	79
Chhattisgarh	50	49

There has been a great increase in average duration in the Narbada Division. In many cases the duration was much too long. Probably the Commissioner could give reasons in explanation, but his report does not contain them.

Duration in cases tried by Deputy Commissioners as Courts of Session.

57. The average duration of cases committed to Courts of Magistrates of Districts for trial as Courts of Session under Section 445B., Criminal Procedure Code (similarly reckoned only from the date of commitment), was 13 days, as compared with 9 in 1870. Apparently a decrease rather than increase in duration might have been looked for, as in most cases the committing Magistrate and the Magistrate of the District hold Court in the same building, and in many cases no greater delay need occur after commitment than is necessary to cause the attendance of assessors.

The following are the districts in which the disposal of these cases was most delayed :—

Chhindwara	district	...	...	...	25 days.
Sambalpur	do.	...	...	...	25 „
Wardha	do.	...	...	...	23 „
Raipur	do.	...	...	...	17 „
Seoni	do.	..	...	...	16 „

No explanations are offered in the reports except in the case of Wardha, where the durations were affected by delay in the investiture of an Officiating Deputy Commissioner with powers under Section 445A. This, however, only applies to two cases. The high duration in the Sambalpur district is probably due to those prolonged absences of the Deputy Commissioner from District Head-Quarters, which, on the Civil side, necessitated the investiture of the Senior Assistant Commissioner with powers of a Court of Appeal.

On the whole, it is hoped that some improvement in the duration of these cases may be effected.

Conclusion.

58. This report has been unusually delayed, and the apologies which were offered in the report on the administration of Civil Justice are due here too. But the circumstances which had led to delay this year will, the Judicial Commissioner believes, not be recurrent.

I have the honor to be,

Sir,

Your most obedient Servant,

T. DRYSDALE,

Registrar.

JUDICIAL COMMISSIONER'S COURT, C. P.,
NAGPUR:
The 22nd May 1872.

9—86—383.

IMPERIAL STATEMENTS.

JUDICIAL STATEMENT B1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1871.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Net receipts from stamps.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Local and Subordinate Magistrates exercising Criminal powers only. Paid	3	..	..	3	A single Judge presides over each Court; Jury or Assessors not employed.	Each Judge has powers of a Subordinate Magistrate of the 1st or 2nd Class under the Criminal Procedure Code. One Judge has power also to hold the preliminary enquiry into cases triable by Courts of Session.	..	1	2	...	1,800 one only. The other two receive nothing special for Judicial services.]	[For Officer			The paid Judges are a Civil Surgeon, who is also general Assistant to the Deputy Commissioner, a Deputy Conservator of Forests, and a Collector of Customs.	and General holidays.	in the Courts of the Central Provinces.	123	..	..	..
Unpaid	54	705	68,586	60			...	..	3	57	..	...			Of the unpaid Magistrates, one is also Civil Surgeon.			6,165	...	...	..
Do. do. Criminal and Revenue powers. Paid	2	2,787	4,51,940	5	Ditto	Criminal Subordinate Magisterial powers of the 2nd Class, and on the Revenue side powers of a Deputy Collector under the Rent Law.	5	..	..	...	4,800	..	7,18,490-3-11	6,69,252-7-1	Assistant Commissioners recently posted. They assist in the general administration of the districts to which they are attached.			2	[illegible]	..	...

Local and Subordinate Magistrates, exercising Criminal, Civil and Revenue powers.	Paid	..	55	1,530	145,189	56	Ditto.	Each Judge has on the Criminal side powers of a Subordinate Magistrate of the 1st or 2nd Class, under the Criminal Procedure Code, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, or 1,000, according to his powers under the Central Provinces' Courts' Act (XIV. of 1865), and has on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1868).	2	..	2	54	4,500	1,920	Rupees	Rupees	These officers are a Naib-Tahsildar (Paras war a), Tahsildars (Sub-Collectors), and Extra-Assistant and Assistant Commissioners. They are employed generally in the Administrative work of the districts to which they are attached.	286 days, excluding Sundays	About 40 Pleaders practise	10,214	33,287	...	...
Small Cause Courts, confined to proper functions	Paid	..	2	1,167	251,094	2	Ditto	One Judge has powers to hear suits up to Rs. 1,000, and another to Rs. 500 under Act XI. of 1865. The third Judge is the Registrar of one of the Courts who under the same Act has been invested with powers to hear suits up to Rs. 20.	..	2	...	1	9,396	3,000			—			..	7,880	..	..
Do. do. exercising also Criminal powers.	Paid	..	3	4	19,651	4	Ditto	Two of these Judges under Act XI. of 1865 and XXII. of 1864 have powers to hear suits up to Rs. 500 in value and one Judge under the same law to hear suits up to Rs. 50. Two of these Judges exercise the powers of a Magistrate, and one of a Sub-Magistrate of the 1st Class. The remaining Judge is the Registrar of one of the Courts, who has been invested with the powers of a Judge to decide suits up to Rs. 20.	—	3	..	1	7,400	1,920			Two of these Judges are Cantonment Magistrates and one an Assistant Cantonment Magistrate.			982	3,218	—	..
Do. exercising also ordinary Criminal and Revenue powers.	Paid	...	1	10	11,128	1	Ditto	This Judge has on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He has further been invested with the powers of a Collector under the Rent Act, except only the powers to hear appeals. His jurisdiction as above is confined to Cantonment limits.	...	..	..	..	13,524	..			Cantonment Magistrate (Sagar).			521	702	..	

JUDICIAL STATEMENT B 1.—(*Continued*).

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercing powers in two or three Departments, and those consisting of paid from unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original and Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Naib-Tahsildars, exercising only Civil powers.	Paid ...	10	953	1,21,492	10	A single Judge presides over each Court; Jury or Assessors not employed.	Each Judge can hear suits up to Rs. 50 in value under Section 6 of Act XIV. of 1865, "The Central Provinces' Courts' Act."	..	...	...	10	..	640			They assist Tahsildars in the general administration of the Sub-Division of District (Tahsil) to which they are posted.	Excluding Sundays and general holidays.	ers practise in the Courts of the Central Provinces.	..	7,533	..	..
Boards of Magistrates..	Unpaid.	1	3,734	6,39,341	4	Each board consists of two Magistrates; Jury or Assessors not employed.	Each Board exercises the full powers of a Magistrate under the Criminal Procedure Code.	...	..	...	8	...	..			Ditto			650	...	..	..
Magistrates of full powers, exercising only Criminal powers.	Paid ..	1	..	..	1	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Criminal Procedure Code,	..	1	...	...	No special salary for Judicial duty.		7,18,490-3-11	6,68,202-7-1	The paid Judge is Superintendent of the Thaggi School of Industry Jabalpur.			..	...	..	..
	Unpaid.	3	2,960	4,38,912	4			..	...	..	4								1,024	..	...	..

Do. exercising also Revenue and Civil powers.	Paid ..	23	3,847	361,909	34	Ditto	In addition to full Magisterial powers as above each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	4	6	7	17	6,317	4,270	Rupees	Rupees	These officers are Assistant and Extra-Assistant Commissioners, and aid Deputy Commissioners in the general administration of the Districts to which they are posted.	290 days,	About 40 Plead-	5,054	24,767	..	..
Magistrates of Districts exercising also Revenue and Civil powers.	Paid ..	1	3,734	639,841	1	Ditto	In addition to full powers as above, this officer hears appeals from convictions by his Sub-Magistrates. On the Civil side he can try suits up to any value, and hear appeals from the decisions of the Subordinate Civil Courts of his district of the four lowest grades specified in Act XIV. of 1865. On the Revenue side he has the powers of a Collector under the Rent Law.	1	...	..	..	12,000	..			This officer is an Officiating Deputy Commissioner invested with the administrative charge of a district (Nagpur).			36	19	..	171
Magistrates exercising special Criminal powers as chief officers of districts and exercising also Civil and Revenue powers	Paid ..	18	4.368	408,115	18	A single Judge presides over each Court, Jury, or Assessors not employed, except in cases tried by Deputy Commissioners as Sessions Courts under their special powers, when two Assessors assist in trying each defended case.	In addition to the powers of the Magistrate of the District as above, these officers are invested with special powers under Section 445A of the Criminal Procedure Code to try all offences not punishable with death.	1	14	3	..	12,768	...			These officers are Deputy Commissioners invested with administrative charge of Districts.			1,495	217	..	2,057
Commissioner's Courts.	Paid ..	4	21,040	19,96,353	4	A single Judge presides over each tribunal. He is assisted by two Assessors when trying defended Sessions cases (Criminal).	These officers preside on the Criminal side over Courts of Sessions and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates with full powers. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865, hear appeals in all suits in which the value is Rs. 5,000 or more, and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain suits under Act X. of 1859 (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and Act X. of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division and hear appeals from orders of Collectors under the Rent Law.	3	1	..	...	32,250	...			Commissioners have administrative charge of Divisions consisting of several Districts.			81	..	..	1,760

JUDICIAL STATEMENT B 2.—*continued.*

	Description of Offence.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
12.	Selling or possessing counterfeit Government stamps ...	258, 259	—	...	—	..	..	
13.	Using as genuine counterfeit stamps, or effacing or altering same ...	260 to 263	2	3	..	3	..	
14.	Making, using, or possessing false weights or measures ...	264 to 267	103	126	31	95	..	
	Against Public Justice.							
15.	Personating Public Servant or Soldier ..	140, 170, 171	47	73	30	43	—	
16.	Concealing design to commit offence ...	118, 120	..	..	..	..	..	
17.	Omitting to give information of offence, or giving false information ..	176, 177, 181, 182, 202, 203	223	264	67	194	21	escaped.
18.	False information punishable under special revenue laws ..	Act XXI. of 1856, Secs. 67 and 73, Act XXXVI. of 1855, Sec. 7	1	1	...	1	..	
19.	Causing disappearance of evidence ...	201, 204	6	16	10	2	4	* committed.
20.	Resisting, obstructing, threatening, or omitting to assist Public Servant ...	183 to 187, 189, 190	91	133	57	71	4	1 died.
21.	Resisting Abkari Officers ..	Act XXI. of 1856, Secs. 64 and 73	...	...	..	..	..	
22.	Resisting Public Officers acting under the Arms Act ..	Act XXXI. of 1860, Sec. 24	2	2	...	2	..	
23.	Disobedience of lawful order causing injury ..	188	38	73	10	63	..	
24.	Intentional insult or interruption in judicial proceedings ..	228	16	17	...	17	..	
25.	Harbouring an offender ...	212, 216	9	12	7	5	...	
26.	Taking or offering gift to screen offender ..	213 to 215	22	28	3	25	..	
27.	Resistance to, or rescue from lawful apprehension ..	224, 225	43	73	26	44	2	1 transferred to Akola.

28.	Escape from lawful custody or transportation ..	224, 225A, 226	63	57	6	48	...	1 trafd. to Allahabad 1 do. Gwalor 1 escaped
29.	Aiding escape of State prisoner ..	130	...	...	...	...	..	
30.	Absconding from, avoiding, or disobeying summons, notice, or order to attend or produce ..	172 to 175	140	219	49	165	5	
31.	Refusing to take oath, or answer or sign ..	178 to 180	1	2	1	1	—	
32.	Violation of condition of remission of punishment ..	227	...	...	..	..	..	
33.	Failure to attend as Juror or Assessor ..	Cr. P. C. Section	4	9	..	9	..	
	By Public Servants.							
34.	Abetment or concealment of offence by Public Servant ..	116, 119	3	3	..	3	..	
35.	Taking valuable thing by, or to influence Public Servant ..	161 to 165 (See Act XXXI. of 1867, Section 2)	43	52	22	28	2	
36.	Public Servant acting illegally to injure any person ..	166, 167	5	5	1	4	..	
37.	Ditto unlawfully trading ..	168, 169	2	2	1	1	..	
38.	Ditto fraudulently defeating punishment or forfeiture.	217, 218	3	3	1	2	..	
39.	Ditto wilfully making order or decision contrary to law.	219, 220	..	..	...	..	..	
40.	Ditto intentionally omitting to apprehend or permitting to escape ..	128, 221, 222	2	2	..	2	..	
41.	Ditto negligently suffering escape ..	129, 223	31	49	10	37	2	
42.	Breach of Police Act by Police officers ..	Act V. of 1861	65	74	14	60	..	
43.	Do. Abkaree or Opium Act by Abkaree or Police Officers ..	Act XXI. of 1865, Secs. 65 67 to 70, 73, and Act XIII of 1867, Secs. 23, 28	..	..	..	..	..	
44.	Do. Salt Customs Acts by Customs, Police, or Land Revenue Officers ..	Act XIV. of 1843, Sec. 11, and Act XXXVI. of 1855, Secs. 6, 7	..	..	...	...	..	
45.	Fraudulent breach of the Indian Post Office Act by Post Office Officials ...	Act XIV. of 1866, Secs. 48 to 52, and 59	3	5	1	4	..	
	False Evidence, False Complaints or Claims, and Forgery.							
46.	Giving false evidence ...	193 to 196	56	89	31	49	8	1 died
47.	Fabricating false evidence ..	193 to 196	2	3	2	1	..	
48.	Making, issuing, or using false Statement or Certificate ..	197 to 200	2	4	4	...	..	
49.	False personation in Judicial proceedings ...	205, 229	2	2	..	2	..	
50.	Fradulent claim to, or concealment of property, or suffering of decree ..	206 to 208 and 421 to 424	7	12	9	10	..	

JUDICIAL STATEMENT B 2.—*continued.*

Description of Offence.	Sections of the Indian Penal Code or other Law applicable	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
51. False claim in Court of Justice ...	209, 210	8	9	7	1	..	1 escaped
52. False charge of offence ..	211	43	50	18	32	...	
53. Forgery or fraudulently using or possessing forged document .	465 to 469 and 471 to 477	40	79	46	25	7	1 escaped
54. Making or using false trade or property marks ..	482 to 489 and Act VII. of 1855, Sec 6, Sub-rule 21	2	2	1	1	...	
Public Nuisances.							
55. Public Nuisances under the Penal Code ..	269 to 294 A	274	612	89	521	..	2 escaped
56. Nuisances under Police or Municipal or Cantonment Acts ..	Act V of 1861, Secs 32, 34, Act XVIII. of 1864, Sec 15, Act XXII of 1864, Sec 19 (except clause 7) 26, 29, 30, 31, and 33, Act XV. of 1867, Sec. 18.	1525	2,744	252	2,483	1	8 escaped
Relating to the Public Peace.							
57. Rioting or unlawful assembly ...	143 to 153, 157 and 158	32	286	64	222	..	
58. Omitting to inform of, or prevent riot ..	154 to 156	..	..	...	..	..	
59. Affray ..	160	152	611	82	529	...	
60. Offences relating to religion ..	295 to 298	10	30	29	20	..	1 escaped
Total Offences under Class I.		3,192	5,932	2,022	4,863	38	20

	Class II.								
	Offences against the person.—Serious.								
61.	Murder by Thugs	..	302, 303	..	...	...	..	...	
62.	Do. Dacoits	..	302, 303, and 396	1	6	6	..	...	
63.	Do. Robbers	..	302, 303	8	13	8	2	3	2 Europeans committed to High Court, Bombay, 1 was convicted, and 1 was acquitted.
64.	Murder by Poison for the sake of robbery	..	302, 303	..	..	...	...	..	
65.	Murder by Poison from other motives	..	302, 303	3	20	18	—	2	
66.	Do. other from motives connected with women	.	302, 303	10	17	9	3	4	2 committed, 1 died.
67.	Do. other from other motives	..	302, 303	50	125	64	38	18	1 transferred to Bhopal. 1 do Sohagpur. 2 do. Bhagelkhand. 1 died. 17 committed.
68.	Attempt to murder	..	307	13	25	15	7	3	Committed.
69.	Culpable homicide	—	304, 308	22	38	20	10	6	2 transferred to Hamirpur.
70.	Causing death or grievous hurt by rash or negligent act	..	304A, 338	5	9	3	6	...	
71.	Abetment of suicide	.	305, 306	1	4	4	..	...	
72.	Attempt to commit suicide	..	309	149	182	76	104	1	1 died.
73.	Causing miscarriage	..	312, 316	10	19	13	6	..	
74.	Exposure of infant or concealment of birth	..	317, 318	35	28	18	20	..	
75.	Grievous hurt	..	325, 326	95	169	64	103	2	Of the two under trial 1 was committed.
76.	Do. on grave or sudden provocation	...	335	13	27	7	20	..	
77.	Hurt by dangerous weapons	...	324	81	100	31	67	2	
78.	Administering stupefying drugs	...	328	8	19	11	7	1	
79.	Causing hurt to extort property or confession	..	327, 329 to 331	8	25	25	—	..	
80.	Do. public servant	...	332, 333	2	1	..	1	..	
81.	Wrongful confinement after issue of writ for liberation or in secret	..	345, 346	2	2	..	2	..	
82.	Do. to extort property or confession	..	347, 348	27	47	21	24	2	
83.	Assault to public servant, or to outrage modesty or dishonour a person, or in attempt to commit theft or wrongful confinement	...	353 to 357	154	221	88	137	..	1 escaped.

JUDICIAL STATEMENT B 2.—*continued.*

	Description of Offence	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
84.	Criminal intimidation punishable with more than two years' imprisonment ..	506	2	2	2	...	..	
85.	Buying or disposing of any person as a slave ..	370, 371	4	5	5	..	..	Those pending were committed.
86.	Kidnapping or abduction ..	363 to 365 and 367 to 369	20	55	45	5	2	2 transferred to Myhere. 1 do. Lalatpur.
87.	Abducting a woman to compel marriage or for defilement ..	366	4	12	8	4	..	
88.	Selling, letting, or unlawfully obtaining a woman for purposes of prostitution ..	372, 373	2	74	46	28	..	
89.	Enticing a woman with criminal intent ..	498	211	204	135	63	5	1 escaped.
90.	Fraudulent and unlawful marriages ..	493 to 496	31	52	42	10	...	
91.	Adultery ..	497	137	139	105	30	4	These were committed.
92.	Rape ..	376	48	61	41	20	..	
93	Unnatural offences ..	377	7	14	13	1	..	
	Minor offences against the person.							
94.	Hurt ..	323, 334	746	1,156	591	561	..	4 escaped
95.	Rash or negligent act, and hurt caused thereby ...	336, 337	13	18	5	13	...	
96.	Wrongful restraint ...	341	154	255	113	142	..	
97.	Do. confinement ..	342, to 344	121	192	93	98	1	
98.	Assault or use of criminal force .	352 and 358, Cr. P. C. Sec.	7,685	14,026	8,491	5,508	25	2 escaped.
99.	Criminal intimidation or insult ...	504, 506 to 509	1,169	1,925	1,060	860	4	1 escaped.
100.	Causing annoyance in state of intoxication ..	510	7	7	.	7	..	

101.	Unlawful compulsion of labour	..	374	9	10	2	8	..	
102.	Defamation	..	500 to 502	467	558	367	188	3	
			TOTAL OFFENCES UNDER CLASS II.	11,554	19,872	11,660	8,103	88	21
	Class III. *Offences against property with violence.*								
103.	Dacoity	...	395, 397, 398	10	71	44	26	.	1 died.
104.	Preparation or assembly for dacoity	...	399, 402	..	4	4		..	
105 } 106. }	Robbery with hurt or deadly weapon. } By poison or stupefying drugs	..	394, 397, 398	2	3	1	1	*1	*committed.
	} By other means	..	..	18	26	15	11	..	
107. }	Robbery. } In a dwelling house	..	392, 393	7	6	5	1		
108. }	} On the highway	..	..	13	21	2	10	5	3 escaped.
109. }	} Elsewhere	..	..	27	54	31	22	..	1 escaped.
110.	Extortion	..	384, 389	111	135	53	82	..	
111.	House-breaking or house-trespass in order to commit theft	..	451, 454, 457	6,188	2,498	667	1,787	36	2 transferred to Jhansi, 6 escaped
112.	Do do. do. an offence other than theft	..	449 to 451, 454 and 457	57	55	17	38	..	
113.	Theft or mischief or house-breaking or house-trespass, with preparation for or attempt at hurt	..	382, 440, 452 and 459 to 460	9	21	18	3	..	
114.	House-breaking or lurking house-trespass	..	453, 456	186	188	43	144	..	1 died.
	Without violence.								
115.	Theft of cattle	..	379 to 381	1,106	1,493	474	976	7	1 transferred to Bhagelkhand, 1 to Nagode, 2 to Bhopal, 7 to Newgong, 1 to Gwalior, 9 to Lalatpur, 6 to Sohagpur, 2 to Umraotee, 1 to Khandeish, 1 to Berar, 1 to Rewah, 2 died, and 2 escaped.
116.	Theft, ordinary	..		9,403	6,192	1,661	4,481	*36	2 transferred to Umraotee, 1 to Yeotmal, 2 to Khandeish, 2 to Allahabad, 3 to Humeerpur, and 4 escaped.

* Of these 3 have been committed to the High Court, Bombay

JUDICIAL STATEMENT B 2.—*continued.*

Description of Offence.		Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
117. Dishonestly receiving stolen property	..	411 to 414	379	708	217	491	..	
118. Dishonest misappropriation of property	..	403, 404	260	354	99	252	3	1 transferred to Bombay, 1 to Nagode, and 1 died.
119. Criminal breach of trust	..	406 to 409	354	364	148	202	*11	* One of these committed to the High Court, Bombay.
120. Cheating	..	417 to 420	243	330	152	169	9	
Malicious offences.								
121. Mischief ordinary	..	426, 427 and 430 to 433	277	526	330	195	1	
122. Do. by poisoning or killing animals	..	428, 429	19	38	18	20	..	
123. Do. by destroying land-marks	..	434	12	20	12	8	..	
124. Do. serious by fire	..	435, 436 and 438	51	44	34	8	2	Of the two under trial one was committed.
125. Do. to Vessels	...	437, 439	..	..	..	..	...	
126. Criminal trespass or house-trespass	..	447, 448	812	1,365	572	787	6	
127. Breaking open closed receptacle	..	461 462	73	15	6	9	..	
		TOTAL OFFENCES UNDER CLASS III.	19,626	14,531	4,824	9,723	117	67
Class IV								
OFFENCES NOT INCLUDED IN THE ABOVE CLASSES.								
Other offences against the Indian Penal or Criminal Procedure Codes.								
128. Belonging to a gang of Thugs	..	311	..	..	..	...	..	
129. Belonging to a gang of Dacoits	..	400	..	..	..	..	..	
130. Belonging to a gang of Thieves	..	401	9	81	25	46	7	The 7 pending were committed, 1 died and 2 escaped.

131.	Criminal breaches of contract of service	—	490 to 492	14	16	12	3	..	1 escaped.
132.	Apprehended breaches of the peace separately inquired into	..	Cr. P. C. Secs. 282 to 288	8	8	1	7	..	
133.	Vagrancy without ostensible means of livelihood	..	Do. „ 295	67	108	63	39	6	
134.	Bad habit and repute	..	Do. „ 296, 297	73	95	56	39	—	
		TOTAL	UNDER CLASS IV, ...	171	308	157	134	13	4
	OTHER OFFENCES AGAINST SPECIAL LAWS,								
	Breaches of Laws relating to—								
135.	Spirits and Drugs	...	Act XXI. of 1856	484	663	163	500	4	1 died.
136.	Opium	..	Act XXI. of 1856, and Act XIII. of 1857.	170	254	35	218	1	
137.	Salt and saltpetre	..	Acts XIV. of 1843, XXXVI of 1855, and XIX. of 1862, as extended by Act VII. of 1864, Act XXXI of 1861, amended by Act XXXIII. of 1867, and Act XXV. of 1869.	452	985	50	934	1	
138.	Stamps	..	Act XVIII. of 1869	161	322	32	280	3	4 died, 2 escaped.
139.	Paper Currency	—	Act XIX. of 1861	..	..	..	..	..	
140.	Post office	..	Act XIV. of 1866	7	7	2	5	...	
141.	Electric Telegraph	..	Act VIII. of 1860	..	..	...	..	..	
142.	Contagious diseases	..	Act XXII. of 1864, Sec. 19 Clause 7, Act XIV. of 1868	44	41	8	33	..	
143.	Municipalities and Cantonments	..	Act XVIII. of 1864 (amended by Act XXII. of 1865), Act XV. of 1867, and Act XXII. of 1864.	57	170	9	161	—	
144.	Prisons (only offences and cases tried by a Magistrate)	...	Act XXVI. of 1870, Secs. 45, 49 and 51	3	3	1	2	..	
145.	Forests	..	Act VII. of 1865.	191	570	161	407	1	1 died.
146.	Railways	..	Act XVIII. of 1854, (amended by Acts XII. of 1860, and XIII. of 1870).	129	193	37	156	..	
147.	Stage carriages	..	Act XVI. of 1861.	...	...	..	..	..	
148.	The Press	..	Act XXV. of 1867, Secs. 12 to 16.	1	11	11	—	..	

Description of Offence.	Sections of the Indian Penal Code or other Law applicable	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
149. Gambling ...	Act III. of 1867	102	723	119	604	...	
150. Wilful neglect of Magistrate's order to maintain Lunatic ..	Act XXXVI. of 1858, Sec. 5	..	..	...	..	..	
151. Cattle trespass ..	Act I. of 1871	284	484	226	252	6	
152. Cannon, arms, and ammunition ..	Act XXXI. of 1860	6	10	3	7	..	
153. Apprentices ..	Act XIX. of 1850, Secs. 13, 15	..	..	..	..	..	
154. Certain disputes between workmen on railways and other public works, and their employers ...	Act IX. of 1861, Sec. 8	...	..	..	..	..	
155. Indian Companies ..	Act X. of 1866	...	..	..	..	..	
156. Registration ..	Act XX. of 1866	..	—	..	..	—	
157. Purchase of soldiers' necessaries ...	Mutiny Act and Act VII. of 1867	...	..	...	—	..	
158. Pandhri ...	Act XIV. of 1867, Sec. 3, Clause 3	..	...	..	...	..	
159. Income Tax ..	Act XVI. of 1870	84	90	13	76	..	1 died.
160. Volunteers ..	Act XX. of 1869, Sec. 29	..	..	..	..	..	
161. European vagrants ..	Act XXI. of 1869, Secs. 14, 15, 19, to 23 and 25	1	1	..	1	..	
162. Acquisition of land ..	Act X. of 1870, Sec. 52	...	..	..	...	..	
163. Indian Weights ..	Act XI. of 1870, Sec. 26	..	..	..	..	..	
Total offences against special Laws		2,176	4,532	871	3,636	16	9
Total offences under..	Class I.	3,192	5,932	1,012	4,862	88	20
	,, II.	11,554	19,87[illegible]	11,660	8,108	88	21
	,, III.	19,626	14,531	4,624	9,723	117	67
	,, IV.	171	308	157	134	18	4
	Against special Laws	2,176	4,532	871	3,636	16	9
Grand Total		36,719	45,175	18,3[illegible]	26,458	272	121

JUDICIAL STATEMENT B 3.

Statement showing the general result of Criminal trials in the Tribunals of various classes in the Central Provinces in the year 1871.

CLASS OF TRIBUNAL.		Number of persons dealt with.							Persons disposed of.					Remaining at end of year.	Average number of days during which each case lasted.	Number of witnesses who attended.
		Remaining at the end of last year.	Brought to trial during present year.				Received by transfer.	Total.	Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped, or transferred.			
			Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.										
Village Officers ..		..	..	..	...	..	..	..	...	...	..	..	...	..	..	...
Unpaid Magistrates ..		27	3,499	1,370	9,507	98	16	14,517	4,223	2,596	7,632	20	6	40	6·	21,141
Local and Subordinate paid Magistrates ..		44	8,336	1,057	8,298	127	53	17,915	3,566	2,938	11,202	75	36	99	6·2	31,673
Full power Magistrates exercising jurisdiction throughout the district ...		83	7,105	1,223	2,061	56	81	10,609	2,850	907	6,734	520	32	66	5·2	24,698
Magistrates exercising powers within precincts of Jails		..	..	...	..	..	..	..	..	..	...	..	..	..		..
Chief Magistrates of Districts ...		33	1,593	243	210	11	8	2,098	1,439	116	468	25	42	8	5·9	2,647
Total Magistracy ...	1871	187	20,533	3,893	20,076	292	158	45,139	11,578	6,557	26,036	640	116	212	5·9	80,159
	1870	115	22,154	..	17,611	..	55	39,935	8,845	4,964	25,206	538	195	187	5·5	69,095
Sessions Courts — Commissioners of Division, Deputy Commissioners of districts ..		20	190	..	..	..	...	210	1	55	101	22	3	28	51·7	697
High Court .		10	443	..	...	..	...	453	..	129	297	..	1	26	13·7	1,534
		—	..	..	..	..	...	...	..	..	.	...	..	..	...	..
Grand Total ..	1871	217	21,166	3,893	20,076	292	158	45,802	11,579	6,741	26,434	662	120	266	6·1	82,390
	1870	140	22,691	..	17,611	..	55	40,497	8,845	5,101	25,599	538	197	217	5·7	69,095

JUDICIAL STATEMENT B 4.

Statement showing the punishments inflicted by the various Criminal Tribunals in the Central Provinces in the year 1871.

Class of Tribunal.	Persons sentenced to												Persons ordered to find or give			Remarks.
		Transportation.			Imprisonment.				Fine.		Whipping.					
					Rigorous.											
	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Surety of the peace.	Recognizance.	Sureties for good behaviour.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Village officers	..	..	..	..	..	..	..	..	..	—	..	..	..	..	..	
Unpaid Magistrates	..	..	..	..	6	915	57	..	200	6,223	48	400	..	1	7	
Subordinate and local paid Magistrates	—	..	..	—	..	2,536	61	26	737	6,810	132	1,559	..	..	..	
Full power Magistrates of general jurisdiction	..	..	..	..	96	1,305	180	16	289	4,308	81	772	19	13	55	
Chief Magistrates of Districts	..	..	..	...	34	347	18	1	93	260	18	68	3	..	4	
Sessions Courts	..	23	14	6	..	41	309	11	..	68	15	...	2	..	..	..	
High Courts	..	..	..	..	..	..	..	..	..	..	—	..	..	...	..	
Total	..	32	14	6	..	177	5,412	327	43	1,389	17,616	*379	2,831	22	14	66	* This includes two persons sentenced to whipping with fine, who have also been shown in column 11.

JUDICIAL STATEMENT B5.

Statement showing the results of Appeal and Revision in Criminal cases in the Central Provinces during the year 1871.

Tribunals.		Number of appellants or persons applying for revision under Section 404, Code of Criminal Procedure.	Number of persons.							Persons whose cases were without application referred to the Sadar Court for revision.	
			Appeals or applications rejected.	Sentences confirmed.	Sentences modified.	Sentences reversed.	Proceedings quashed.	Further enquiry or evidence recorded.	Pending.	On application.	Direct.
Magistrates of Districts ..	From unpaid Magistrates...	337	8	160	26	118	2	8	3	..	25
	From paid Magistrates ..	594	11	363	76	135	4	4	5	..	14
Courts of Sessions ..	From unpaid Magistrates ..	60	5	43	1	10	..	..	1	..	3
	From paid Magistrates ..	541	100	314	62	50	2	20	11	2	1
Sadar Court, i. e., Court of Judicial Commissioner..	Appeals from Courts of Session and Magistrates of districts in the exercise of powers under Section 445A, Criminal Procedure Code ..	255	...	209	11	34	...	...	1	..	..
	As a Court of Reference ..	24	..	16	7	1	..	..	..	..	...
	As a Court of Revision ...	126	...	42	7	63	12	..	2	..	...

JUDICIAL STATEMENT B 11.

Statement showing use of Juries and Assessors in the Courts of the Central Provinces in the year 1871.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case, and prescribed qualifications.	Number of cases tried by Jury	Number of cases with Assessors.	Jury trials.			Assessors' trials.		Note showing in what classes of cases Juries have been principally employed.
				Verdict in favour of the prosecutor or plaintiff.	Verdict in favour of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.	
Criminal Courts.									
Courts of Deputy Commissioners as Courts of Sessions under Section 445 B., Act VIII. of 1869 ...	Two Assessors in each case. The prescribed legal qualifications are education, character, and age.	..	194	..	..	..	172	22	Criminal trials by or as Courts of Session.
Sessions Courts of Commissioners ..	ditto	...	68	..	..	..	61	7	
Total ... 1871	...		262	..	..	..	233	29	
Total ... 1870	..		292	..	..	..	273	19	

PROVINCIAL STATEMENTS.

STATEMENT exhibiting details of the Criminal work of the Magistrates

District.		Number of persons dealt with							Persons dis-		
		Remaining at end of last year.	Brought to trial during present year.				Received by transfer.	Total.	Discharged without trial.	Acquitted.	Convicted.
			Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.					
1		2	3	4	5	6	7	8	9	10	11
Nagpur ...		20	2,333	454	3,100	1	9	5,917	1,592	971	3,242
Chanda ...		5	1,122	159	484	3	...	1,773	336	173	1,219
Bhandara ...		5	855	555	763	14	5	2,197	648	353	1,154
Wardha ...		3	891	211	1291	49	5	2,450	628	480	1,286
Balaghat ...		16	422	105	357	4	1	907	172	94	596
Jabalpur ...		..	2,295	298	1,479	55	23	4,152	805	522	2,781
Sagar ...		6	1,833	459	1,759	58	29	4,144	1,057	735	2,295
Damoh ...		3	490	119	993	12	36	1,653	300	355	978
Seoni ...		25	801	107	1,536	10	25	2,504	768	396	1,239
Mandla ...		5	540	102	320	8	4	979	350	133	474
Hoshangabad ...		3	1,302	177	2,488	30	1	4,001	1,812	275	1,848
Betul ...		8	596	72	594	7	...	1,277	221	182	842
Nimar ..		51	1,229	152	1,085	22	...	2,539	809	351	1,277
Narsinghpur ...		22	1,260	334	1,328	11	10	2,965	600	471	1,842
Chhindwara ...		1	615	99	519	2	1	1,237	187	211	797
Raipur ...		3	2,022	205	815	...	3	3,048	519	402	2,087
Sambalpur ...		3	889	70	370	...	1	1,333	262	121	921
Bilaspur ...		8	908	171	666	...	3	1,756	427	304	976
Upper Godavari ..		...	130	44	127	6	...	307	85	28	182
Total ...	1871	187	20,533	3,893	20,076	292	158	45,139	11,578	6,557	26,036
	1870	115	22	154	17,611	...	55	39,935	8,852	4,957	25,206

STATEMENT II.

in the several districts of the Central Provinces during the year 1871.

posed of			Remaining at end of year				Cases.						
			Since				Inquiries.						
Committed	Died escaped, or transferred.	Total.	Over two months.	November.	December.	Total.	In cases triable by the Court of Session.	In cases referred by Magistrate for preliminary inquiry or in cases which Subordinate Magistrate is not competent to try.	In cases usually tried by Magistrates upon summons.	In cases usually tried by Magistrates upon warrant.	Pending.	Total.	REMARKS.
12	13	14	15	16	17	18	19	20	21	22	23	24†	† *Cols. 25 to 34 overleaf*
96	5	5,906	*3	...	8	11	64	...	459	422	5	950	* 1 (Lunatic) since March, 2 (under treatment in Hospital) since October.
35	4	1,767	...	...	6	6	37	7	30	166	2	242	
19	5	2,179	..	3	15	18	23	2	113	258	10	406	
47	...	2,441	†1	...	8	9	32	1	147	208	5	393	† 1 (Lunatic) since April
27	8	897	...	...	10	10	24	...	49	33	1	107	
31	11	4,150	...	...	2	2	30	...	209	332	2	573	
22	21	4,130	‡1	...	13	14	37	...	190	354	5	586	‡ 1 (Lunatic) since September.
18	1	1,652	...	...	1	1	12	...	71	106	1	190	
67	5	2,475	...	...	29	29	24	...	310	157	16	507	
10	12	979	...	...	...	...	12	...	55	136	..	203	
53	2	3,990	§2	..	9	11	32	..	618	197	6	853	§2 since October, accused of forgery in connection with a Civil suit pending in appeal.
21	4	1,270	...	...	7	7	19	...	54	63	6	142	
74	11	2,522	...	...	17	17	26	..	179	218	5	428	
35	10	2,958	..	.	7	7	23	...	85	207	6	321	
20	3	1,218	...	...	19	19	16	...	11	79	3	109	
24	7	3,039	...	...	9	9	29	...	71	226	...	326	
10	..	1,314	‖4	...	15	19	10	...	60	79	8	157	‖ 1 Since January, 1 since February, and 2 since April, all four lunatics
27	7	1,741	...	...	15	15	42	.	51	183	7	283	
4	...	299	...	5	3	8	4	...	*22	22	3	51	
640	116	44,927	11	8	193	212	496	10	2,784	3,446	91	6,826	
538	195	39,748	187				396	8	1,600	2,080	84	4 168	

CRIMINAL STATEMENT II—*Continued.*

Districts	Cases					Miscellaneous cases and proceedings.				
	Trials									
	In cases usually tried by Magistrates upon summons	In cases usually tried by Magistrates upon warrant.	Submitted by Subordinate Magistrates for more severe punishments	Pending	Total.	Local nuisances	Maintenance of wives and children.	Disputes relating to land and water	Other miscellaneous cases or investigation.	Miscellaneous proceedings and applications
	25	26	27	28	29	30	31	32	33	34
Nagpur .	1,376	1,011	5	2	2,394	28	120	.	11	1 044
Chanda .	387	449	26	2	864	...	6	...		1,869
Bhandara	319	467	4	4	794		11	1	.	930
Wardha . .	712	367	6	1	1,086	.	25	...	148	397
Balaghat	177	182	15	2	376	4	4	2	18	41
Jabalpur	1 228	905	30		2,163	...	69	..	12	2 ,219
Sagar . .	1,121	693	12	5	1,831		21		6	1,880
Damoh ..	400	356	8	...	764	..	31		1	1,228
Seoni	620	320	20	...	960	...	8	...		301
Mandla	154	200	3	...	357	12	8	.	29	770
Hoshangabad	553	677	5	...	1,235	.	8		3	2,958
Betul	329	322	7	1	659	1	9	1	9	478
Nimar	483	541	.	4	1,028	8	6	...	17	817
Narsinghpur ...	689	713	8		1,410	1	26	.	62	1 097
Chhindwara	232	369	12	5	618	...	13	...	87	666
Raipur	680	703	. .	4	1,387	...	15	...	...	1,838
Sambalpur	296	322	8	5	631	...	11	2	.	675
Bilaspur	358	432	25	1	816	...	10	1	9	936
Upper Godavari	69	59	...	1	129	1	..	...	...	278
Total ... 1871	10,183	9,088	194	37	19,502	55	401	7	412	20 422
Total ... 1870	9,444	...	280	19	9,743	...	..	. .	20	791

CRIMINAL STATEMENT No. III

STATEMENT showing the punishments inflicted by Magistrates in the several districts of the Central Provinces during the year 1871.

Districts	Number of persons sentenced to																
			Imprisonment											Enter into bond to keep the peace			
			2 years and under		6 months and under		2 months and under		15 days and under								
	Transportation.	Above two years	Rigorous.	Simple	Rigorous	Simple	Rigorous	Simple.	Rigorous.	Simple	Fine only	Whipping only	Give security for good behaviour	With sureties	Without sureties.	Other primary punishment	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Nagpur			61		166	5	144	9	109	23	2 500	219	3		1	...	3,240
Chanda			28		135		139	1	57	3	688	168			.	..	1,219
Bhandara		1	7		65		108	3	45	2	670	248	2	3		..	1,154
Wardha ...	...	...	16	.	37	2	64	3	74	6	990	86	8				1,286
Balaghat	...		6	1	35	.	122	1	37	2	318	74		...		...	596
Jabalpur ..	...	1	67	1	168	11	214	26	95	17	1,911	264	6	.		..	2,781
Sagar		4	35	1	100	3	108	10	88	16	1,740	188	2				2,295
Damoh		...	21	.	147	..	104	12	55	4	558	76	1				978
Seoni ...			38		110	2	59	4	20	3	880	118	4	1			1,239
Mandla ...			9		40		100	1	50	7	221	44	2	..		.	474
Hoshangabad		3	25	1	137	1	114		60	19	1 360	104	22	2		...	1 848
Betul			12		38	1	73	4	19	3	580	108	4				842
Nimar	...	...	25		58	1	84	7	35	10	888	161	8	.			1 277
Narsinghpur		2	43		145	1	84	13	63	6	1,353	132			...	...	1 842
Chhindwara		...	12	.	47	..	59	4	25	12	579	58	1		.		797
Raipur			26		203	...	197	7	38	15	1,164	429	3		5	...	2,087
Sambalpur	.		21		105	1	83	7	17	17	548	122	...			..	921
Bilaspur ..		1	19	...	92	.	141	4	26	2	497	193		1		..	976
Upper Godavari	.	..	2	...	10		6	1	...		154	7		2		...	182
Total 1871		12	473	4	1,838	28	2,003	117	913	167	17,599	2,799	66	9	6		26 034
Total 1870		14	566	3	1 776	16	2,160	101	968	195	15,610	3 765	85		.		25,206

[*Statement continued overleaf*

Districts.	Number of persons sentenced to additional punishment.							Number of persons sentenced to fine.				
	Fine in addition to imprisonment or other punishment not including whipping.	Whipping in addition to imprisonment with or without fine also.	Whipping in addition to fine only.	Solitary confinement.	Forfeiture of property.	Ordered to give: Recognizances to keep the peace.	Ordered to give: Security to keep the peace.	Above rupees 50.	Rupees 50 and under.	Rupees 20 and under.	Rupees 5 and under.	Total.
	19	20	21	22	23	24	25	26	27	28	29	30
Nagpur ...	90	29	...	11	...	1	...	27	63	278	2,222	2,590
Chanda ..	110	6	...	...	25	...	...	7	22	84	685	798
Bhandara ...	82	17	...	3	...	..	...	11	30	105	608	754
Wardha ...	33	7	...	...	18	...	...	5	41	172	805	1,023
Balaghat ...	73	9	...	2	...	...	...	...	18	106	267	391
Jabalpur ...	83	33	...	58	...	1	7	11	60	210	1,713	1,994
Sagar ...	104	16	...	3	...	1	1	18	75	424	1,327	1,844
Damoh ...	42	9	2	7	...	...	2	1	29	115	455	600
Seoni ...	70	21	...	8	...	...	...	4	106	79	761	950
Mandla ...	30	2	...	...	...	...	...	...	12	56	183	251
Hoshangabad ...	148	5	...	11	...	...	1	18	58	242	1,190	1,508
Betul ..	35	12	...	23	...	...	..	4	21	142	448	615
Nimar ...	17	3	...	...	...	...	...	4	36	174	691	905
Narsinghpur ...	78	21	...	8	...	1	2	9	56	312	1,054	1,431
Chhindwara ...	46	6	...	...	...	...	...	4	98	84	439	625
Raipur ...	99	51	...	1	...	...	...	9	45	187	1,022	1,263
Sambalpur ...	79	7	...	...	...	3	...	7	22	97	501	627
Bilaspur ...	91	21	...	1	...	...	...	1	14	67	506	588
Upper Godavari...	9	2	...	...	...	1	...	3	5	22	133	163
Total ... 1871	1,319	277	2	136	43	8	13	143	811	2,956	15,010	18,920
Total ... 1870	...	413		84	...	...	...	...	3,805		13,082	...

No. III.—(*continued.*)

Total amount of fine.					Compensation to accused persons on account of frivolous complaints.				REMARKS.
Imposed.	Realized.	Realized on account of former periods.	Applied in compensation to complainants or injured parties.		Persons ordered to pay.	Amount awarded.	Amount realized.	Amount paid.	
			Ordered.	Paid.					
31	32	33	34	35	36	37	38	39	40
Rs.	Rs.	Rs.	Rs	Rs	Rs.	Rs	Rs.	Rs	
14,200	10,801	236	2,179	1,054	124	216	213	189	
4,098	2,868	115	1,304	141	13	23	23	23	
3,817	3,287	272	80	77	17	30	29	23	
5,222	4,867	247	423	215	24	50	46	39	
2,367	2,117	91	206	172	8	14	19	14	
10,246	7,535	294	1,805	818	54	81	81	81	
12,801	10,785	701	1,243	863	41	51	50	50	
3,151	2,660	37	268	257	16	31	36	25	
5,246	4,015	533	419	102	14	55	54	54	
1,622	1,287	198	120	102	1	3	3	3	
11,159	9,846	5,146	1,593	735	29	59	59	59	
4,058	3,623	34	340	283	43	152	152	152	
4,293	3,783	19	216	118	26	49	49	49	
8,493	37,684	202	799	328	69	131	121	113	
3,615	3,282	12	116	172	42	125	75	75	
7,045	5,858	797	821	425	9	30	22	19	
3,980	3,479	40	546	859	26	56	62	24	
2,608	2,110	59	68	34	12	45	41	41	
958	786	20	70	20	7	7	7	7	
1,08,976	90,676	9,053	12,616	6,773	575	1,207	1,139	1,038	
1,08,400	90,379	3,074	11,201	6,845	383	946	909	. .	

ACCOUNT CURRENT No. I of Fines and Compensation for frivolous or vexatious

Districts.	For realization.																	
	Remaining from last year.						Fines imposed during the year.			Compensation for frivolous or vexatious complaints awarded during the year.			Total.			Fines realized during the year.		
	Fines.			Compensation for frivolous or vexatious complaints.														
1	2			3			4			5			6			7		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Nagpur ...	9,353	10	1	10	0	0	14,199	11	9	215	10	0	23,778	15	10	11,041	9	6
Chanda ...	11,813	1	7	35	0	0	4,098	1	0	22	12	0	15,968	14	7	2,983	0	1
Bhandara ...	237	8	11	...	...	...	3,817	2	0	29	12	0	4,084	6	11	3,558	15	6
Wardha ...	8,174	12	1	...	...	...	* 5,261	11	9	49	10	0	13,486	1	10	5,113	12	3
Balaghat ...	605	1	8	...	...	...	2,366	11	6	19	0	0	2,990	13	2	2,208	0	6
Jabalpur ...	3,580	3	11	...	...	...	10,246	3	11	81	1	0	13,907	8	10	7,829	0	3
Sagar ...	8,918	10	8	2	0	0	12,800	9	0	51	0	6	21,772	4	2	11,485	12	9
Damoh ...	1,119	14	5	5	0	0	3,150	12	0	31	0	0	4,306	10	5	2,696	11	1
Seoni ...	869	8	6	...	...	...	5,245	14	0	55	0	0	6,170	6	6	4,548	9	0
Mandla ...	2,635	12	3	...	...	...	1,621	13	9	2	8	0	4,260	2	0	1,485	9	2
Hoshangabad...	16,476	0	5	...	...	...	11,158	9	6	58	8	0	27,693	1	11	14,991	2	11
Betul ...	350	2	0	...	...	...	4,057	12	0	152	0	0	4,559	14	0	3,656	7	0
Narsinghpur ...	5,194	8	3	31	13	0	8,493	6	0	131	7	0	13,851	2	3	† 7,885	10	6
Nimar ...	579	13	3	...	...	...	4,292	12	0	48	13	0	4,921	6	3	3,802	8	1
Chhindwara ...	310	7	11	...	...	...	3,614	11	0	125	4	0	4,050	6	11	3,293	13	0
Raipur ...	6,461	4	0	...	...	...	7,044	14	0	30	6	0	13,536	8	0	6,665	5	8
Sambalpur ...	2,822	2	3	11	0	0	3,979	9	6	56	0	0	6,868	11	9	3,518	5	0
Bilaspur ...	3,535	9	4	...	...	...	2,607	11	8	44	8	0	6,187	13	0	2,169	7	3
Upper Godavari	...	...	...	...	...	...	958	6	0	6	10	0	965	0	0	805	14	0
Total ...	83,038	3	6	94	13	0	1,09,016	6	4	1,427	1	6	1,93,576	8	4	9,94,729	2	11
Of the Court of the Dy. Comr, as a Court of Session.	1,376	14	7	...	...	...	4,358	4	0	...	...	...	5,736	2	7	2,674	2	8
Of the Court of Session.	3,452	13	0	...	...	...	1,475	0	0	...	...	...	4,927	13	0	1,084	0	0
Grand Total...	87,867	15	1	94	13	0	1,14,849	10	4	1,427	1	6	2,01,071	10	11	1,03,487	5	7

No III A

complaints in the Central Provinces for the year ending 31st December 1871

Accounted for														Remaining to be realized						REMARKS
Compensation for frivolous or vexatious complaints realised during the year.			Fines reversed during the year.			Fines struck off during the year as unrealizable.			Compensation for frivolous or vexatious complaints struck off during the year as unrealizable.			Total			Fines.			Compensation for frivolous or vexatious complaints.			
8			9			10			11			12			13			14			15
Rs	A	P	Rs	A	P	Rs	A	P	Rs	A	P	Rs	A	P	Rs	A	P	Rs	A	P	
212	10	0	2,398	1	5	1 942	6	10				15,594	11	9	8,171	4	1	13	0	0	
22	12	0	53	0	0	9,618	8	0			...	12,677	4	1	3 2,6	10	6	35	0	0	
28	12	0	45	0	0	...	...		...			3 632	11	6	450	11	5	1	0	0	* In addition to the fines in Column 31 of Magisterial Statement III, Rs 40 are here included, which were imposed by the Appellate Court in lieu of a sentence of imprisonment
45	10	0	301	0	0	3 832	15	6	.		..	9,293	5	9	4,188	12	1	4	0	0	
19	0	0	70	10	0		.	.	...		.	2 297	10	6	693	2	8		...		
81	1	0	736	0	0							8,646	1	3	5,261	7	7	.	...	...	
49	12	6	104	0	0	2 067	14	5				13,707	7	8	8,061	8	6	3	4	0	
36	0	0	110	10	0	35	0	0		..	..	2,878	5	1	1,428	5	4	...		...	
54	0	0	95	8	0					..	.	4,698	1	0	1,471	5	6	1	0	0	
2	8	0	47	0	0	76	6	11				1 611	8	1	2,648	9	11		..	...	
58	8	0				720	12	0				15 770	6	11	11 922	11	0	...		...	
152	0	0	300	0	0		...	.	.			4 108	7	0	451	7	0	...	..		† Of this amount Rs 376-4 were after realization remitted on appeal, and are shown in column 9 but are only reckoned once in Column 12
121	7	0	276	4	6	3 452	4	6	0	13	0	11,466	2	0	2,349	15	3	35	0	0	
48	13	0			..	80	2	9	.			3,931	1	3	990	5	0	..		..	
75	4	0	35	0	0				...	...		3,404	1	0	596	5	11	50	0	0	‡Of this amount Rs 155 were realized before receipt of the Appellate Court's order, and are therefore included also in column 7, but only reckoned once in column 12
21	10	0	‡265	0	0	1,808	10	7		.		8,595	10	3	4,932	1	9	8	12	0	
62	0	0	176	0	0	267	9	6	.	.		4 023	14	6	2,839	13	3	5	0	0	
41	0	0	...		..				...		.	2 210	7	3	3,973	13	9	3	8	0	
6	10	0	40	0	0	...	.			..		852	8	0	112	8	0				
1 139	5	6	5,053	1	11	23,902	11	0	6	13	0	1,29,581	1	10	63,800	14	6	159	8	0	
.	.		1 200	0	0	...	.				...	3 874	2	8	1,860	15	11				
		...	.	..			.	.	..	.		1,084	0	0	3,843	13	0	.			
1,139	5	6*	6,253	1	11	23,902	11	0	6	13	0	1,34,789	4	6	69,505	11	5	159	8	0	

CRIMINAL STATEMENT No. IV. A.

STATEMENT for the year 1871, showing duration before the several Magistrates of the Central Provinces of cases sent in after previous authorized investigation by Police or Revenue Officers or other Courts.

Districts.	Number of cases decided within days.													Total number of cases.	Total number of days.	Average duration of each case.	Remarks.
	1	2	3	4	5	6	7	8 to 14	15 to 21	22 to 30	31 to 60	61 to 100	Above 100				
1	2													3	4	5	6
Nagpur ...	952	150	55	39	26	17	21	34	15	3	...	...	..	1,312	2,623	1·9	
Chanda ...	564	43	10	22	7	7	6	27	7	3	2	...	1	699	3,050	2·1	
Bhandara ...	367	54	16	12	6	7	8	19	10	3	...	..	...	502	1,133	2·2	
Wardha ...	338	62	42	15	10	13	12	25	7	3	1	1	...	529	1,411	2·6	
Balaghat ...	157	32	16	4	3	5	2	7	...	1	3	...	...	230	582	2·5	
Jabalpur ...	1,316	98	42	21	18	15	7	13	5	2	...	...	...	1,537	2,241	1·4	
Sagar ...	895	114	56	33	20	15	12	38	15	6	5	3	...	1,212	2,905	2·3	
Damoh ...	264	45	9	9	3	9	3	25	3	1	1	...	...	372	892	2·4	
Seoni ...	301	81	43	12	11	6	4	15	6	4	...	...	...	483	1,106	2·3	
Mandla ...	151	56	29	11	6	6	3	14	12	6	7	4	...	305	1,584	5·1	
Hoshangabad ...	399	101	37	23	11	17	13	56	15	5	5	...	...	682	2,149	3·1	
Betul ...	155	80	34	11	11	17	6	33	17	3	5	...	...	372	1,584	4·3	
Nimar ...	540	91	25	19	11	11	2	23	8	7	2	5	...	744	2,069	2·7	
Narsinghpur ...	538	96	44	28	14	14	15	57	13	8	4	...	1	832	2,572	3·	
Chhindwara ...	223	56	30	10	11	7	6	40	10	1	2	...	...	396	1,251	3 1	
Raipur ...	814	116	46	34	21	8	14	38	9	4	7	...	...	1,111	2,521	2·2	
Sambalpur ..	460	29	16	3	2	5	1	8	1	...	1	...	1	527	764	1·4	
Bilaspur ...	272	92	39	18	17	13	8	83	21	20	5	2	...	590	2,991	5	
Upper Godavari ...	53	9	5	3	2	1	1	...	...	...	1	...	...	75	159	2·1	
Total ... 1871	8,759	1,405	594	327	210	193	144	555	174	80	51	15	3	12,510	33,587	2·6	
Total ... 1870	7,858	1,309	529	313	212	179	104	438	126	44	38	3	1	11,154	26,680	2·3	

CRIMINAL STATEMENT No. IV. B.

STATEMENT showing duration of cases instituted directly before the several Magistrates of the Central Provinces during the year 1871.

1	2							3	4	5	6
Districts.	Number of cases decided within days.							Total number of cases	Total number of days	Average duration of each case.	REMARKS.
	1	2	3 to 7.	8 to 14.	15 to 21.	22 to 30.	Above 30 days.				
Nagpur ...	45	58	886	813	152	61	6	2,021	17,514	8·6	
Chanda ...	11	6	164	131	33	23	22	390	4,292	11·	
Bhandara ...	27	47	308	200	56	23	16	677	5,836	8·6	
Wardha ...	92	34	386	335	58	25	13	943	7,597	8·	
Balaghat ...	16	5	73	92	28	17	13	244	3,045	12·5	
Jabalpur ...	21	111	703	246	68	18	4	1,171	7,654	6·5	
Sagar ...	36	54	556	353	98	52	19	1,168	10,309	8·9	
Damoh ...	3	42	253	211	46	12	3	570	4,636	8·	
Seoni ...	49	37	507	258	67	21	20	959	7,821	8·	
Mandla ...	6	1	72	83	32	13	27	234	3,554	15·	
Hoshangabad ...	161	77	632	384	89	38	19	1,400	10,719	7·6	
Betul ...	7	1	94	204	70	26	18	420	5,266	12·5	
Nimar ...	25	30	411	171	39	13	6	695	5,062	7·2	
Narsinghpur ...	21	14	271	369	135	42	28	880	9,725	11·5	
Chhindwara ...	15	3	81	126	49	32	8	314	3,689	11·7	
Raipur ...	15	33	255	196	41	25	13	578	5,264	9·	
Sambalpur ...	8	5	104	104	15	6	6	248	2,274	9·2	
Bilaspur ...	10	12	113	189	85	52	30	491	6,690	13·6	
Upper Godavari ...	14	30	53	2	1	...	1	101	381	3·7	
Total ... 1871	582	600	5,922	4,467	1,162	499	272	13,504	1,21,328	9·	
Total ... 1870	6,975			3,441	1,040	432	213	12,101	1,00,02.	8·3	

CRIMINAL STATEMENT. No. V.

Witness Statement of the districts of the Central Provinces for the year 1871.

Districts.	Number of witnesses detained.											Undischarged at close of year.	Longest period any undisposed of witness has been in attendance.	Amount of diet-money paid by Magistrates to witnesses.	REMARKS.
	1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 to 10 days.	11 to 15 days.	16 days and upwards.	Total.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
														Rs A. P	
Nagpur ...	9,713	538	151	20	4	...	...	...	..	...	10,426	...	...	...	
Chanda ..	3,737	315	60	47	14	...	1	7	1	...	4,182	3	5 days	153-13-0	
Bhandara ...	3,462	180	16	19	...	..	...	...	...	...	3,677	...	...	1-8-0	
Wardha ...	3,941	359	105	57	...	...	...	...	...	...	4,462	...	...	...	
Balaghat ...	1,496	81	29	6	15	...	...	...	...	...	1,627	...	...	5-4-0	
Jabalpur ...	7,955	243	17	2	5	3	..	...	...	...	8,225	...	...	20-11-0	
Sagar ...	6,084	653	77	4	4	13	8	...	...	...	6,843	...	..	0-7-0	
Damoh ..	2,804	110	12	...	8	...	...	...	...	...	2,934	...	...	...	
Seoni ...	2,753	278	40	13	1	2	..	...	...	...	3,087	...	...	...	
Mandla ...	1,660	407	150	39	10	5	2	...	...	...	2,273	...	...	13-4-0	
Hoshangabad...	4,859	558	101	27	3	5	13	11	...	...	5,577	...	...	39-2-0	
Betul ...	1,949	358	70	11	25	7	...	...	...	...	2,420	...	...	...	
Nimar ...	3,309	245	51	21	4	11	2	...	...	...	3,643	...	...	139-4-6	
Narsinghpur ...	5,297	381	28	6	...	...	...	...	...	...	5,712	...	...	0-13-0	
Chhindwara ...	2,395	435	171	17	13	6	6	12	...	...	3,055	...	...	0-4-0	
Raipur ...	4,519	395	65	95	6	...	...	...	...	...	5,080	...	...	1-8-0	
Sambalpur ...	2,118	119	28	33	8	10	6	...	...	...	2,322	...	...	...	
Bilaspur ...	3,443	484	121	10	2	6	...	10	...	...	4,076	...	...	4-14-0	
Upper Godavari	505	24	..	9	...	...	...	...	...	...	538	...	...	7-0-0	
Total ... 1871	71,999	6,162	1,292	436	122	68	38	40	1	...	80,159	3	11 days	396-4-6	
Total ... 1870	60,864	6,143	1,498	397	87	39	15	45	5	2	69,095	3	...	...	

CRIMINAL STATEMENT No. VI.

Statement of Appeals and References to the High Court for revision for the year 1871.

Appellate Courts.	Number of persons.													
	For disposal.				Disposed of.							Pending.		
	Pending from previous years.	Appealed, or applied for reference to the High Court for revision during the year.	Total.	Further enquiry or evidence ordered.	Appeals or applications rejected.	Sentences confirmed.	Sentences modified.	Sentences reversed.	Proceedings quashed.	Cases referred for revision to High Court.	Total.	Total.	More than one year.	Others whose cases were, without application, referred to the High Court for revision.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Sadar Court ...	5	250	255	...	...	209	11	34	...	...	254	1	...	...
Sessions Courts.														
Nagpur Division ...	8	121	129	...	10	95	8	12	...	2	127	2	2	...
Jabalpur do. ...	36	152	188	18	55	99	19	8	1	...	182	6	...	1
Narbada do. ...	8	215	223	2	21	136	26	35	1	...	219	4	1	3
Chhattisgarh do. ...	1	60	61	...	19	27	10	5	...	...	61	...	...	...
Magistrates of Districts.														
Nagpur ...	...	46	46	...	2	20	8	16	...	...	46	...	...	10
Chanda ...	...	37	37	1	...	27	7	3	...	...	37	...	...	2
Bhandara ...	...	17	17	...	...	13	1	3	...	...	17	...	...	...
Wardha ...	...	54	54	...	1	19	18	12	3	...	53	1	...	1
Balaghat ...	...	9	9	...	...	5	...	4	...	...	9	...	...	...
Jabalpur ...	...	68	68	1	5	43	4	16	...	...	68	...	...	...
Sagar ...	2	73	75	...	3	37	14	21	...	...	75	...	...	...
Damoh ...	...	48	48	...	...	19	6	22	...	...	47	1	...	...
Seoni ...	2	50	52	...	3	28	9	10	...	...	50	2	...	6
Mandla ...	...	20	20	3	2	9	2	7	...	...	20	...	...	...
Hoshangabad ...	...	127	127	...	...	85	12	27	...	...	124	3	..	...
Betul ...	2	54	56	...	...	30	9	17	..	...	56	...	...	...
Narsinghpur ...	...	150	150	...	1	117	3	27	2	...	150	...	...	...
Nimar ...	...	38	38	2	...	19	5	13	...	...	37	1	...	6
Chhindwara ...	1	26	27	...	..	16	3	8	...	...	27	...	...	...
Raipur ...	...	26	26	...	1	12	3	9	1	...	26	...	...	5
Sambalpur ...	...	14	14	...	1	3	7	3	...	...	14	...	...	...
Bilaspur ...	...	56	56	...	...	20	1	35	...	...	56	...	...	9
Upper Godavari ...	...	1	1	...	...	1	...	...	...	...	1	...	...	...
Total ... 1871	65	1,712	1,777	27	124	1,089	186	347	8	...	1,756	21	3	43
Total ... 1870	...	1,469	1,469	3	126	706	219	372	...	...	1,423	46	...	...

CRIMINAL STATEMENT No. VII.

STATEMENT showing the extent of the application of the Whipping Laws in the Central Provinces during the year 1871.

Section of the Whipping Act or other law applicable.	Description.	Persons. Total number convicted. First conviction.	Subsequent conviction.	Total.	Whipped. In lieu of or in addition to other punishment.	Number. Up to 10 stripes.	From 11 to 20.	From 21 to 30.	Total.	REMARKS.
Sections II. and III ...	Adults ...	6,988	742	7,730	In lieu of ...	1,179	1,293	211	2,683	
Section IV. ...	Adults ...	8	14	22	In addition to ..	65	169	43	277	
Section V. ...	Juveniles ...	127	9	136	In lieu of ...	100	15	...	115	
Total	1871 ...	7,123	765	7,888	Total ... 1871...	1,344	1,477	254	3,075	
	1870 ...	8,282	945	9,227	1870...	1,670	1,828	489	3,924	
Act XXII. of 1864, Sec. 29 ...	Unauthorized sale of spirits or drugs in Cantonments ...					...	...	1	1	

CRIMINAL STATEMENT No VIII.

STATEMENT of Cases in which European British Subjects were charged with offences in the Central Provinces during the year 1871.

Districts.	Arrests by Magistrates not Justices of the Peace.			Inquires by Justices of the Peace					Trials by Justices of the Peace				Remarks.
		Persons.			Persons					Persons			
						Committed to High Court.							
	Cases	Released.	Sent to Justice of the Peace	Cases	Released	In custody	On bail.	Under investigation	Cases	Acquitd.	Convicted.	Under trial	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur	..	.	.	2	. 2	...	...	.	8	5	4	.	
Chanda	...	..	...	..	...	.	...	..	1		1	...	
Wardha	...	...	...	...	..	...	...	...	2	1	1	...	
Jabalpur	...	...	...	...	...		...	...	23	8	16	...	
Sagar	...	..	...	...	...	...	...	.	4	2	2	...	
Hoshangabad	...	...	...	...	...	...	..	..	11	10	2	...	
Narsinghpur	...	..	...	2	.	2	...	...	5	1	4	...	
Nimar	...	...	...	4	.	6	...	...	8		9	.	
Chhindwara	..	...	...	1	1	.	...	.	1	1	..		
Total ... 1871	...	...	...	9	3	8	..	...	63	28	39	...	
Total ... 1870	...	...	...	4	...	6	..	...	99	34	70	...	

General Statement of cases and persons triable by Sessions

In the Court of Session of the—	Remaining at the end of last year.		Committed to the Sessions during the year.		Received by transfer.		Total number of persons under trial.	Persons disposed of.					
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.		Pardoned.	Acquitted.	Convicted.	Referred.	Died, escaped or transferred.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Commissioner.													
Nagpur Division	1	1	22	49	...	...	50	...	10	35	...	...	45
Jabalpur „ ...	...	1	29	73	...	...	74	...	9	47	4	2	62
Narbada „ ...	8	17	19	45	...	...	62	1	31	19	6	1	58
Chhattisgarh „ ...	1	1	20	23	...	...	24	...	5	5	7	...	17
Deputy Commr.													
Nagpur District..	...	...	23	66	...	...	66	...	8	48	...	1	57
Chanda „ ...	...	...	15	33	...	...	33	...	9	24	...	...	33
Bhandara „ ...	...	...	10	10	...	...	10	...	1	9	...	...	10
Wardha „ ...	...	...	16	30	...	...	30	...	15	15	...	...	30
Balaghat „ ...	...	...	14	22	...	...	22	...	4	18	...	...	22
Jabalpur „ ...	...	...	12	25	...	...	25	...	13	12	...	...	25
Sagar „ ...	1	1	8	8	...	...	9	...	3	6	...	...	9
Damoh „ ...	...	...	7	7	...	...	7	...	2	5	...	...	7
Seoni „ ...	1	1	19	27	...	...	28	...	15	13	...	...	28
Mandla „ ...	...	...	3	3	...	...	3	...	3	...	...	...	3
Hoshangabad ...	...	...	25	31	...	...	31	...	7	16	...	...	23
Betul „ ...	1	1	11	20	...	...	21	...	7	11	...	...	18
Narsinghpur „ ...	2	2	13	22	...	...	24	...	4	19	...	...	23
Nimar „ ...	...	...	20	81	...	...	81	...	22	58	...	...	80
Chhindwara „ ...	...	...	9	15	...	...	15	...	5	10	...	...	15
Raipur „ ...	1	1	12	13	...	...	14	...	2	9	...	...	11
Sambalpur „ ...	...	...	7	10	...	...	10	...	1	8	...	...	9
Bilaspur „ ...	1	4	14	17	...	...	21	...	6	15	...	...	21
Upper Godavari..	...	...	2	3	...	...	3	...	2	1	...	...	3
Total ... 1871	17	30	330	633	...	...	663	1	184	403	17	4	609
Total ... 1870	20	25	332	537	...	...	562	...	137	393	...	2	...

MENT No. IX.

Courts in the Central Provinces during the year 1871.

Under trial at the close of the year.			Assessors' trials.				Decided cases.			
	Persons.									
Cases.	In custody.	On bail or recognizance.	Number of cases tried with assessors.	Average number of assessors in each case.	Number of cases in which Judge agreed with assessors.	Number of cases in which Judge differed from assessors.	Average number of days during which each lasted.	Longest period any was pending.	Number of witnesses who attended.	Date of commitment of the oldest case pending.
15	16	17	18	19	20	21	22	23	24	25
4	5	...	16	2	14	2	37	...	176	20th December 1871
5	12	...	20	2	18	2	38	147	188	13th October 1870.
4	4	...	23	2	19	1	79	149	266	30th September 1871.
6	7	...	11	2	9	2	48·6	140	67	9th June 1871.
3	8	1	13	2	13	...	12·8	43	101	17th November 1871
...	...	...	12	2	11	1	12·9	41	85	
...	...	...	10	2	9	1	7·2	22	37	
...	...	...	13	2	12	1	23·2	80	105	
...	...	...	14	2	12	2	14·9	46	93	
...	...	...	9	2	7	2	8·1	13	97	
...	...	...	8	2	8	...	12 2	29	51	
...	...	...	4	2	4	...	9·5	33	64	
...	...	...	17	2	16	1	16·4	29	83	
...	...	...	3	2	3	...	15·3	32	21	
6	...	8	14	2	13	1	11·3	22	89	Not given
1	3	...	11	2	10	1	11·9	32	103	"
1	1	...	14	2	14	...	9·4	13	132	"
1	1	...	18	2	10	8	9·8	19	162	29th December 1871.
...	...	...	8	2	7	1	24·9	91	85	
2	1	2	8	2	7	1	17·4	71	63	Not given
1	1	...	3	2	3	...	24·6	90	29	28th November 1871
...	...	...	13	2	11	2	12·8	67	121	
..	...	...	2	2	2	...	16	30	13	
34	43	11	264	2	232	29	23·4	149	2,231	...
18	28	2	...	...	...	...	25	278	...	...

STATEMENT exhibiting the degrees of punishment inflicted by the

In the Court of Session of the—	Number of persons sentenced														
		Imprisonment.													
		Transportation.			2 years and under.		Six months and under.		2 months and under.		15 days and under.				
	Death.	For life.	For a term.	Above 2 years.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Fine only.	Whipping only.	Give security for good behaviour.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Commissioner.															
Nagpur Division ...	5	6	...	19	4	...	...	...	...	...	1	...	...	...	...
Jabalpur „ ...	4	5	...	26	2	...	13	...	...	1	...	...	...	...	...
Narbada „ ...	6	1	4	9	1	...	...	...	...	...	...	...	4	...	...
Chhattisgarh „ ...	7	2	...	...	3	...	...	...	...	...	...	...	...	...	...
Deputy Commr.															
Nagpur District...	...	...	...	14	11	...	18	...	...	...	...	1	4	...	...
Chanda „ ...	...	...	...	...	13	...	11	...	...	...	...	...	...	...	...
Bhandara „ ...	...	...	...	1	6	...	2	...	...	...	...	...	...	...	...
Wardha „ ...	...	...	...	...	6	...	1	...	...	...	3	3	2	...	...
Balaghat „ ...	...	...	...	...	2	...	5	...	4	...	6	...	1	...	...
Jabalpur „ ...	...	...	...	3	2	...	5	...	1	...	...	...	1	...	...
Sagar „ ...	...	...	...	5	1	...	...	...	...	...	...	...	...	...	...
Damoh „ ...	...	...	...	...	1	...	2	...	...	...	1	..	1	...	...
Seoni „ ...	..	...	...	1	6	...	4	...	...	1	...	...	1	...	...
Mandla „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Hoshangabad „ ...	...	...	...	6	3	...	5	...	1	...	...	...	1	.	...
Narsinghpur „ ...	...	...	2	10	6	...	1	...	...	...	...	...	...	...	...
Nimar „ ...	...	...	...	26	23	...	4	...	2	...	...	1	...	2	...
Betul „ ...	...	...	...	3	2	...	3	...	3	...	...	...	...	...	...
Chhindwara „ ...	...	...	...	1	3	...	2	...	1	...	...	3	...	...	...
Raipur „ ...	...	...	...	1	5	...	3	..	...	...	...	...	...	...	...
Sambalpur „ ...	...	...	...	3	2	...	...	...	3	...	...	...	...	...	...
Bilaspur „ ...	...	...	...	4	6	...	4	...	...	...	...	1	...	...	...
Upper Godavari	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...
Total... 1871	22	14	6	132	108	...	84	...	15	2	11	9	15	2	...
Total... 1870	31	40	2	98	113	...	76	1	10	4	1	2	11	3	...

STATEMENT No. X.

Courts of Session in the Central Provinces during the year 1871.

to— Enter into bond to keep the peace. With sureties.	Without sureties	Total.	Additional Punishments. Fine in addition to imprisonment or other punishment not including whipping.	Whipping in addition to imprisonment, with or without fine also.	Whipping in addition to fine only.	Solitary confinement.	Forfeiture of property.	Ordered to give. Recognizance to keep the peace.	Security to keep the peace.	Number of persons sentenced to fine. Rupees 5 and under.	Rupees 20 and under.	Rupees 50 and under.	Above rupees 50.	Total.
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
...	...	35	2	...	...	12	...	...	...	...	...	...	2	2
...	...	51	1	...	...	23	...	...	...	...	...	...	1	1
...	...	25	1	...	...	...	...	...	...	...	...	4	1	...
...	...	12	...	...	...	...	...	...	...	...	...	...	...	...
...	...	48	2	...	...	1	...	...	...	1	1	4	...	6
...	...	24	4	...	...	...	...	...	...	...	...	...	4	4
...	...	9	...	...	...	1	...	...	...	...	...	...	...	...
...	...	15	6	...	...	...	...	...	...	...	...	8	...	8
...	...	18	6	...	...	...	...	...	...	2	2	2	1	7
...	...	12	2	...	...	...	...	...	...	...	...	1	2	3
...	...	6	2	...	...	...	...	...	...	...	2	...	...	2
...	...	5	2	...	...	...	...	...	...	...	1	1	1	3
...	...	13	8	...	...	...	...	...	...	1	3	2	3	9
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	16	9	...	...	...	...	...	...	1	4	5	...	10
...	...	19	...	...	...	...	...	...	...	...	...	...	...	...
...	...	58	...	...	...	...	...	...	...	...	...	...	...	...
...	...	11	2	...	...	4	...	...	...	...	2	...	...	2
...	...	10	6	...	...	...	...	...	...	...	2	2	2	6
...	...	9	...	...	...	...	...	...	...	...	...	...	...	...
...	...	8	3	...	...	...	...	...	...	...	2	1	...	3
...	...	15	11	...	...	...	...	...	...	...	7	4	...	11
...	...	1	1	...	...	...	...	...	...	...	1	...	...	1
...	...	420	68	...	...	41	...	...	...	5	27	34	17	78
...	...	...	...	...	...	...	...	...	...	7	...	72	24	103

CRIMINAL STATEMENT No. X. (*Continued.*)

In the Court of Session of the--	Number of persons sentenced to whipping.				Total amount of fines.				
					Of period under report.		Realized on account of former periods.	Applied in compensation to complainants or injured parties.	
	10 stripes or less.	10 to 20 stripes.	20 to 30 stripes.	Total.	Imposed.	Realized.		Ordered.	Paid.
	32	33	34	35	36	37	38	39	40
Commissioner.									
Nagpur Division ...	...	...	...	...	1,200	1,060	25	250	250
Jabalpur " ...	...	...	...	...	100	...	50	30	...
Narbada " ...	...	...	...	...	175	9	...	...	...
Chhattisgarh " ...	...	...	...	...	...	...	...	...	...
Deputy Commr.									
Nagpur District ...	...	...	...	...	185	185	...	...	...
Chanda " ...	...	...	...	...	1,000	...	...	...	...
Bhandara " ...	...	...	...	...	...	...	...	...	...
Wardha " ...	...	...	...	...	255	230	...	...	...
Balaghat " ...	...	...	...	...	187	162	...	2	...
Jabalpur " ...	...	...	...	...	240	94	...	...	...
Sagar " ...	...	...	...	...	25	5	...	...	...
Damoh " ...	...	...	...	...	270	200	...	...	...
Seoni " ...	...	...	...	...	455	250	...	60	...
Mandla " ...	...	...	...	...	...	...	...	...	...
Hoshangabad " ...	...	...	...	.	261	122	...	2	2
Narsinghpur " ...	...	...	...	...	...	...	...	...	...
Nimar " ...	...	...	...	...	...	...	...	...	...
Betul " ...	...	...	...	...	20	20	...	...	...
Chhindwara " ...	...	...	...	...	1,215	1,215	...	...	...
Raipur " ...	...	..	...	...	...	...	100	...	...
Sambalpur " ...	...	...	...	...	45	45	..	7	20
Bilaspur " ...	...	...	...	...	100	36	..	...	...
Upper Godavari " ...	...	...	...	...	10	10	...	...	...
Total ... 1871	...	...	...	...	5,833	3,583	175	351	272
Total ... 1870	...	...	...	...	11,485	3,922	...	1,117	30

CRIMINAL STATEMENT No. XI.

GENERAL STATEMENT showing the Judicial (Criminal) work of each officer employed in the Central Provinces during the year 1871.

(D. C., signifies Deputy Commissioner; A. C., Assistant Commissioner; E. A. C., Extra-Assistant Commissioner; C. M., Cantonment Magistrate; J. M., Jail Magistrate; T., Tahsildar; H. M., Honorary Magistrate; B. M., Bench of Magistrates; and O., before any such abbreviation signifies Officiating.)

Period of employment.		Name and designation of Officer.	Number of cases disposed of.	Average duration of cases.		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases (Statement 4A.)	Other cases (Statement 4B.)		
1		2	3	4	5	6	7
Months.	*Days.*	NAGPUR.					
6	26	Major F. A. Fenton, D. C.	4	1·	...	...	...
3	27	Mr. H. J. MacGeorge, O. D. C.	9	1·2	...	25	...
...	4	Major R. B. Thomson, O. D. C.	...	...	...	...	...
...	27	Mr. J. W. Tawney, O. D. C.	3	1·	...	33·3	100·
2	28	Capt. E. A. Pemberton, A. C.	55	4·8	9·7	61·1	93·4
12	...	Mr. R. Logan, A. C.	79	1·7	8·4	75·	98·5
7	20	Mr. S. H. Hennessy, A. C.	39	6·3	15·5	60·3	93·1
2	18	Mr. J. W. Tawney, A. C.	46	3·4	11·8	59·2	96·1
1	4	Capt. T. H. B. Brooke, C. M.	23	1·3	7·5	86·9	90·9
1	6	Capt. E. A. Pemberton, Do.	28	1·3	6·3	71·9	97·9
1	24	Capt. J. MacDougal, Do.	56	2·4	6·8	81·8	84·1
7	25	Capt. R. M. B. Thomas, Do.	174	1·1	8·	84·4	98·0
2	4	Mr. Madho Rao, E. A. C.	51	2·2	8·1	51·3	100·
1	4	Lieut. D. Robertson, A. C.	10	..	4·2	50.	100·
2	19	Mr. G. Noble, H. M.	45	5·8	7·4	33·9	97·1
12	...	Raja Janoji, H. M.	13	1·	8·9	33·2	100·
12	...	Rao Sahib Trimbakji Nana Ahir Rao, H. M.	29	1·3	7·9	70·8	90·3
12	...	Dadoba Sirkey, H. M.	...	...	...	...	...
12	...	Madho Rao Gangadhar, H. M.	27	2·3	10·4	43·7	100·
12	...	Raja Suleman Shah, H. M.	227	2·2	8·4	40·5	96·6
12	...	Rajoba Mohite,	26	2·5	7·7	64·7	100·
12	...	Balaji Sadaseo Buti,	42	1·3	10·2	65·6	100·
12	...	Rao Sahib Trimbakji Nana Ahir Rao and Raghoji Mohite, B. M.	137	2·	7·6	61·8	87·4
12	...	Rao Sahib Trimbakji Nana Ahir Rao and Madhorao Gangadhar, B. M.	4	2·	20·5	44·4	100·
12	...	Rao Sahib Trimbakji Nana Ahir Rao and Ahiloji Rao Ahir Rao, B. M.	1	3·	...	100·	100·
12	...	Madho Rao Gangadhar and Dadoba Sirke, B. M.	168	1·5	7·8	55·9	98·1
12	...	Rajoba Mohite and Chitkaji Rao Gujar, B. M.	236	1·8	9·5	49·7	96·2
12	...	Balaji Sadaseo Rao Buti and Ahiloji Ahir Rao, B. M.	104	1·8	8·1	52·	96·2
12	...	Chitkaji Rao Gujar, H. M.	...	...	...	...	...
6	6	Mukund Balkrishna Buti, H. M.	...	...	...	...	...
12	...	Shekh Ismail, H. M.	...	...	...	...	...
12	...	Govind Singh Jemadar, H. M.	310	2·3	11·3	34·9	76·[illegible]
12	...	Trimbakji Nana Khalatkar, H. M.	86	1·1	6·4	67·1	94·[illegible]
12	...	Bhanudas Naidu, H. M.	526	2·	7·2	55·	90·[illegible]
12	...	Ahiloji Ahir Rao, H. M.	39	1·	6·5	32·5	89·5
12	...	Raghaji Rao Mohite, H. M.	11	1·	9·5	41·1	100·
9	...	Dadaji Jaiwant, T.	146	3·7	11·4	71·7	100·

CRIMINAL STATEMENT No. XI.—(*Continued.*)

Period of employment		Name and designation of Officer.	Number of cases disposed of.	Average duration of cases.		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases (Statement 4A.)	Other cases (Statement 4B.)		
1		2	3	4	5	6	7
Months.	*Days.*	NAGPUR *(Continued.)*					
3	1	Nilkanth Rao, O. T.	77	1·	9·7	31·9	100·
10	17	Seoraj Singh, T. Katol,	167	1·2	4·8	78·	91·2
12	...	Yadao Rao Sakharam, T. Ramtek.	226	1·5	7·3	100·	99·4
12	...	Ganpat Rao Malhar, T. Umrer.	102	1·5	13·	63·	88·1
1	4	Sakharam Maipat, T. Katal.	7	1	4·6	63·3	100·
		CHANDA.					
12	...	Capt. M. P. Ricketts, D. C.	71	1	...	3·1	100·
3	19	Capt. W. Vertue, A. C.	29	5·9	7·1	66·1	63·2
12	...	Munshi Gur Purshad, E. A. C.	102	3·6	16·6	61·	77·1
12	...	Mr. J. Hornby, E. A. C.	90	2·	12·6	68·5	93·
8	...	Munshi, Ramdayal, Deputy Collector.	179	1·7	7·	79·4	98·6
12	...	Nago Rao, T.	204	1·3	9·4	75·9	98·9
9	...	Narayan Rao, T.	139	1·5	10·8	25·4	100·
1	27	Krishnaji Narayan, O. T.	12	1·1	8·	64·7	68·8
12	...	Madho Rao Juganath, T.	247	2·7	12·1	79·1	81·1
12	...	Durma Rao, H. M.	13	1·	5·1	96·4	100·
		BHANDARA.					
8	28	H. Read, Esq., D. C.	40	1	...	...	...
3	4	J. W. Tawney, Esq., D. C.	16	1	...	...	...
12	..	Mr. D. A. Cameron, E. A. C.	...	...	...	...	...
3	22	Mr. M. B. Tulsingh, E. A. C.	119	2·5	6·8	46·8	92·2
6	26	Mr. Abdul Rahim, E. A. C.	145	2·9	7·6	52·1	87·2
12	...	Mr. Yado Rao, H. M.	448	2·4	6·7	86·1	96·4
12	...	Mr. Ganpat Rao, H. M.	32	2·2	4·1	51·2	90·5
9	.29	Mr. Yashwant Rao, H. M.	9	1·	4·6	69·2	100·
0	18	Lakhmichand, T., Tirora.	12	3·5	11·6	66·6	82·9
2	17	Mahmud-ul-Husen, T.	36	1·5	16·3	66·6	100·
8	20	Ragho Lakshman, T.	185	2·	12·6	56·9	93·9
3	...	Ragho Lakshman, T.	32	1·3	9·4	51·7	92·7
8	10	Mahmud-ul-Husen, T.	105	2·6	18·1	67·7	100·
		WARDHA.					
3	3	Lt.-Col. H. F. Waddington, D. C.	40	1·6	12·2	29·	95·5
5	10	T. E. Ellison, Esq., O. D. C.	85	2·9	15·6	24·3	91·
3	17	H. J. MacGeorge, Esq., O. D. C.	18	5·8	...	...	100·
5	11	T. E. Ellison, Esq., A. C.	33	2·5	7·6	52·3	87·9
1	10	S. H. Hennessy, Esq., A. C.	8	4·	5·2	82·8	87·8
12	5	F. H. Prior, Esq., E. A. C.	207	3·3	12·7	60·4	63·9
12	5	Mr. Rai Debi Parshad, E. A. C.	92	3·7	8·4	57·6	90·8
4	15	Mr. J. Noble, Asst. Cotton Commr.	10	3·	8·6	36·3	80·
6	6	Balwant Rao Narayan, T.	127	1·4	11·3	88·8	100·
5	11	Vishnu Daji, T.	90	3·8	8·5	26·5	92·8
6	...	Nilkanth Rao, T.	44	1·6	6·9	46·4	100·
11	...	Madho Rao Pandurang, T.	290	1·4	19·	100·	100·
...	4	Ganpat Lal, O. T.	2	..	2·3	100·	100·
12	5	Chimnaji Lakshman, H. M.	56	2·	4·8	53·4	90·7
12	5	Nawab Wahidkhan, H. M.	135	1·6	6·1	75·3	82·
12	5	Sundar Narayan, H. M.	232	1·8	6·8	56·	97·1

CRIMINAL STATEMENT No. XI.—*(Continued.)*

Period of employment.		Name and designation of Officer.	Number of cases disposed of.	Average duration of cases. Police cases (Statement 4A.)	Average duration of cases. Other cases (Statement 4B.)	Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
1		2	3	4	5	6	7
Months.	*Days.*	BALAGHAT.					
12	...	Capt. A. Bloomfield, D. C. ...	73	2·3	15·5	74·4	97·9
5	..	Mr. Abdul Rahim, E. A. C. ...	110	4·3	13·7	51·3	95·5
7	..	„ Kesho Seoram, O. E. A. C. ...	138	3	17	73·1	78·7
5	...	„ Kesho Seoram, T., Burha ...	6	1·3	7·3	100	100
5	...	„ Ramcharan, O. T., Burha, ..	89	1	5·5	75·6	100
12	...	„ Ganpat Rao Khando, N. T. ..	58	1·7	10·3	73·7	99·8
		JABALPUR.					
9	20	J. W. Chisholm, Esq., D. C. ...	97	1·	9·	3·2	95·4
1	21	Capt. J. A. Temple, O. D. C. ..	14	1·	...	5·8	100
2	19	C. E. R. Girdlestone, Esq., D. C. ..	3	1·	...	...	...
12	...	W. A. Nedham, Esq., A. C. ...	214	1·9	8·3	61·8	93·3
7	2	Munshi Aulad Husen, A. C. ...	233	1·8	7·7	52·8	97·4
4	15	Rae Sukhlal, E. A. C. ...	244	1·4	6·5	78·	96·9
11	21	J. P. Goodridge, Esq., A. C. ..	79	2·1	4·5	56·8	95·
1	12	R. H. Pilcher, Esq., A. C. ...	32	1·	7·1	49·3	100
1	12	A. H. L. Fraser, Esq., A. C. ...	42	1·	3·8	42·8	100
4	...	Capt. R. M. B. Thomas, C. M. ...	124	1·	4·8	86·7	98·4
8	...	Capt. W. Vertue, C. M. ...	393	1·1	3·5	92·7	96·5
12	...	Syad Kasim Ali, T. ...	256	1·3	8·1	81·7	99·5
12	...	Munshi Banwarilal, T. ...	134	1·	7·9	77·5	100
12	...	Seodayal Singh, O. T. ...	156	2·9	11·7	45·3	88·8
12	...	W. G. Olpherts, Esq., H. M. ...	20	1·7	...	65·3	97·1
12	..	Lieut. J. Watts, H. M. ...	159	1·5	6·7	65·7	95·8
12	..	Balwant Rao, H. M. ...	240	1·	3·1	80·2	99·
12	..	Raja Mohip Singh, H. M. ...	50	1·2	8·6	48·	95·4
8	15	Thakur Chet Singh, H. M. ...	218	2·8	4·6	45·6	96·6
		SAGAR.					
1	7	Capt. H. C. E. Ward, D. C. ...	14	1	...	..	...
10	20	Col. J. N. H. Maclean, D. C. ...	86	1	...	..	...
1	3	Capt. F. B. Morris, A. C. ...	7	2·6	8·	76·9	82·8
12	...	M. Sheoprashad, E. A. C. ...	98	2·9	11·1	58·7	90·4
...	28	S. Ahfad Husen, E. A. C. ...	13	3·2	12·5	50·	100·
6	5	H. L. Dennys, Esq., E. A. C. ...	5	1·4	...	80·	51·8
7	29	Babu Nobin Chandar, E. A. C. ...	113	4·6	9·	55·3	92·8
4	7	H. E. M. Impey, Esq., E. A. C. ...	57	7·	13·1	48·2	70·5
8	29	S. Madad Imam, T. ...	66	1·	6·	67·5	100·
3	11	M. Debi Parshad, T. ...	32	2·5	11·4	46·6	100·
8	18	Abdul Majid, T. ..	56	2·7	12·7	62·	76·
3	4	Abdul Majid, T. ..	52	1·8	13·4	68·5	75·
8	25	Mehdi Hasan, T. ..	231	1·7	6·5	64·2	86·2
11	...	S. Asud Ali, T. ..	150	1·5	10·	52·7	99·3
1	19	S. Kasim Ali, O. T. ..	6	...	9·	50·	100·
11	24	Nana Gunpat Rao, H. M. ..	161	2·2	9·4	46·4	84·6
12	...	Rao Zorawar Singh, H. M. ...	67	1·8	15·6	74·	99·2
6	10	Damodar Rao, H. M. ..	80	1·2	7·8	58·4	96·8
11	...	Rao Krishna Rao, H. M. ..	175	2·7	13·6	57·7	81·2
9	...	Rao Balwant Singh, H. M. ...	8	...	2·2	83·3	70·
9	...	Rajaram Havildar, H. M. ...	120	4·4	9·6	32·2	94·4
9	...	Rajai Dube, H. M. ...	135	1·1	7·2	58·2	93·6

CRIMINAL STATEMENT No. XI.—(*Continued.*)

Period of employment.		Name and designation of Officer.	Number of cases disposed of	Average duration of cases		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases (Statement 4A.)	Other cases (Statement 4B.)		
1		2	3	4	5	6	7
Months.	*Days.*	SAGAR *(Continued.)*					
9	...	Kedar Nath Dulia, H. M. ...	96	1·6	6·6	31·6	100·
8	10	Rao Ram Chand Rao, H. M. ..	25	1·6	6·	61·9	86·2
12	...	Lieut.-Col. H. T. Bartlett, H. M. ...	527	1·9	5·8	74·3	91·1
		DAMOH.					
3	.	Capt. C. H. Grace, D. C. ...	14	1·1	10·6	27·7	60·
8	2	Capt. H. I. Lugard, O. D. C. .	19	1·	10·1	31·2	100·
4	25	Mr. Aulad Husen, A. C. ..	66	1·8	7·2	55·3	93·5
7	6	„ Rao Sukhlal Singh, E. A. C ..	115	2·5	9·4	77·9	90·5
12	...	Takhat Singh, T. Hatta ...	203	2·	9·2	69·2	100
12	...	Amir Khan, T., Damoh ...	257	3·1	9·	58·9	95·9
12	...	Thakur Seolal Singh, H. M .	84	3·8	7·5	39·8	93·6
12	...	Pandit Nagoji Ballal, H. M ..	95	1·2	6·7	51·4	98·2
12	...	Pandit Balkrishna, H. M ..	89	1·1	4·	51·6	98·6
		SEONI.					
12	...	Capt. S. Brooke, D. C. ...	56	1·5	16·8	8·9	86·2
1	...	G. J. Nicholls, Esq., A. C. ...	18	4·6	13·	44·9	62·6
10	19	D. Robertson, Esq., A. C. ...	91	1·8	7·9	74·4	95·6
12	...	Ali Husen Khan, E. A. C. ...	103	4·4	14·3	68·3	87·
12	...	Balwant Rao, T., Seoni. ...	224	1·9	7·3	51·3	90·6
12	...	Mohammad Abdulla, T., Katangi ...	196	1·6	13·5	53·4	100·
12	...	Mirza Ali, T., Laknadaon ...	228	2·2	13·4	62·	74·2
12	...	Mohammad Imam Khan, H. M. ...	215	1·	5·4	46·5	100·
12	...	Mohammad Ahmed Khan, H. M. ...	235	1·6	5·3	37·	100·
12	...	Bakhtawar Singh, H. M. ...	78	2·3	6·4	72·4	100
		MANDLA.					
12	...	Col. J. C. Wood, D. C. ...	127	12·6	28·1	21·9	67·9
12	...	Mr. T. L. Crawley, E. A. C ...	197	2·7	12·3	63·5	66·9
12	...	Kabir-ud-din Husen, T. ..	113	4·9	8·9	72·4	77·2
3	10	Maksud-ul-Husen, T. ...	17	3·2	20·5	91·6	65·9
3	25	Jhunilal, T. ...	6	1·	10·7	25·	100
...	8	Azad Ali ...	...	...	...	..	..
12	...	Dr. H. A. Kidd, H. M. ..	20	...	6·4	37·5	100
12	...	Babuji Ojha, H. M. ..	...	...	...	...	..
12	...	Lakhshmi Parshad, H. M. ...	59	1·2	9·6	23·7	98·6
		HOSHANGABAD.					
11	3	Col. J. B. Dennys, D. C. ..	9	11·5	4·2	58·8	34·8
...	23	Major W. B. Thomson, O. D. C. ..	...	...	...	...	..
4	13	Mr. H. J. MacGeorge, A. C. ...	29	2·	12·	53·8	96·5
6	7	Mr. G. J. Nicholls, A. C. ...	128	3·	9·3	45·2	74·5
1	2	Mr. J. E. Ellison, A. C. ...	13	3·9	9·	50·	94·4
12	...	Capt. J. W. Hogg, A. C. ..	277	4·6	5·1	63·7	96·5
9	3	Capt. H. H. Hallett, A. C. ...	14	1·	2·	78·9	100·
1	20	Mr. A. U. Fanshawe, A. C. ...	2	21·	4·	20·	100·
4	25	Mr. H. L. Dennys, E. A. C. ...	3	...	30·	40·	5.62

CRIMINAL STATEMENT No. XI.—(*Continued*)

Period of Employment.		Name and designation of Officer	Number of cases disposed of	Average duration of cases: Police cases (Statement 4A)	Average duration of cases: Other cases (Statement 4B)	Percentage of persons convicted or committed to persons for disposal	Percentage of witnesses discharged in one day to total number summoned
1		2	3	4	5	6	7
Months	*Days*	HOSHANGABAD *(Continued.)*					
12	..	Mr Sultan Ali, E A C ..	156	2 2	6	38 2	90 8
12	..	Pandit Ramdayal, T ..	219	4 2	12 3	40	73 4
12		Maulvie Mohammad Ali, T. ..	55	1 3	5 6	66 3	100
2	2	Pandit Seo Lal Dube, T ..	34	2 2	10 1	30 3	64 4
9	18	Munshi Irshad Ali, T ..	364	2 7	8	45 1	98 1
12	...	Pandit Venack Rao, H M ..	167	2	6 4	60 1	94 6
12	.	Pandit Tulsi Ram, H M	109	12 5	7 8	54 5	100
12	.	Mir Roshan Ali, H M	47	1 3	2	94 8	92 3
12	.	Raja Chatar Shah, H M ...	41	1 7	9 2	42 3	100
12		Raja Daryao Singh, H M	45	...	7 6	25 5	63 3
12	...	Raja Kishor Singh H M	66	...	8 2	29 1	93 3
12		Raja Kamran Shah, H M ..	177	1	7 2	37 6	100
12	..	Pandit Nandram, H M	52	17	5 5	61	100
12		Dalpat Chaudhri, H M	21	...	8 2	36 2	100
12	.	Kalu Ram, H M	41	...	6 7	38 9	100
12	...	Umrao Singh, H M	13	...	8	69 6	100
		BETUL.					
12	...	Major C L R Glasford, D C ...	47	2 5	17 7	32 9	66 6
9	2	Pandit Gopal Rao, E A C .	63	7 6	15 5	57	65 4
2	11	Munshi Liladar, E A C	21	7 2	16 5	73 9	19
12	.	Munshi Ajudhya Parshad, T	340	4 6	14 2	74 8	90
12	.	Munshi Kali Charn, T .	255	2 2	10 6	73	88 5
...	10	Khwaja Vilait Husen Khan T	2	1	4	100	100
4	.	Teji Singh Patel, .	66	1 7	11 4	53 9	100
		NARSINGHPUR					
12	...	Capt C H Plowden, D C	66	1 9	17 7	23 2	100
6	22	F St. C Williams, Esq, E A C	348	3 5	10	73 5	87 6
1		Nobin Chandar Banarjia, E A C	26	1 1	11 3	54 5	100
4	8	Syad Ahtad Husen, E A C	211	3 3	10	62 5	99 6
2	11	Irshad Ali, T	74	1 9	7 7	65 0	95 7
5	10	Seolal Dube, T	41	1	12 7	34 6	90 9
12	.	Ram Charn Lal, T	264	4 2	13 2	64 8	79 6
2	5	Bansidhar, T	15	1 5	9 8	63 6	100
9	25	Venkat Rao, T	147	1 9	9 7	77 3	94 1
3	12	Abdul Rahim, T	54	1 5	10 9	51 7	91 9
12	.	Raja Nizam Singh H M	39	1	7 4	74	100
12	...	Rao Surat Singh, H M ...	47	2	9 5	66 9	100
12	.	Chaudhri Beni Singh, H M	44	1 5	7	48 5	100
12	.	Thakur Bhopal Singh H M	123	2 7	8 1	64	95 5
12	.	Promnarayan, H M .	208	1 7	15 7	53 1	98 9
1	...	Seth Sheobaksh, H M ..	5		6 4	57 1	100
		NIMAR					
12	...	Major J. L. Loch, D C .	51	1 0	2 0	14 7	100
4	22	Mr L Neill, Khandwa, A C .	35	13 7	15 3	47 9	84 6
1	..	Capt E W C H Miller, A C ..	16	8 4	6 0	57 8	100
6	9	Capt. E A Pemberton, A C ..	112	5 1	12 7	46 0	85 2
..	23	Capt. T A Scott, A C ...	15	1 3	4 5	45 8	85 4

CRIMINAL STATEMENT No. XI.—*(Continued.)*

Period of Employment.		Name and designation of Officer.	Number of cases disposed of.	Average duration of cases.		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases (Statement 4A.)	Other cases (Statement 4B.)		
1		2	3	4	5	6	7
Months.	*Days.*	NIMAR—*(Continued).*					
2	23	Mr. L. Neill, Burhanpur, A. C. ...	6	1·4	2·0	30·0	100·
3	...	Mr. Zain-ul-Abdin Khan, do., E. A. C...	4	1·0	...	...	...
1	8	Madho Rao Ramchundra, do., O. E. A. C.	5	13·5	6·0	66·6	100·
7	3	Babu N. K. Bose, E. A. C. ...	116	1·3	9·4	60·1	92·7
...	3	Maulvi Fazlul Kadir, E. A. C. ...	4	3·7	...	75	20·
6	17	Captain Ross, C. M. Court ...	122	1·	5·1	69·0	100·
3	20	Captain Bythell, C. M. Court ...	42	1·2	7·0	86·0	100·
12	...	Kazi Aziz-ul-Rahman, H. M. ...	167	2·5	9·4	55·6	93·0
12	...	Hafiz Abd-ul-Gani, H. M. ...	144	1·0	5·9	37·9	93·2
11	...	Govind Rao Bhuskute, H. M. ...	39	1·8	5·3	64·5	77·3
10	3	Hari Karan Mandloe, H. M. ...	416	1·9	5·8	57·6	91·0
11	...	Rao Sardarsingh, H. M. ...	18	1·7	3·7	66·6	80·7
4	9	Madho Rao Ramchandra, T. ...	54	3·9	7·0	37·5	90·3
0	27	Bulwant Rao Dhondeva, Khandwa, T....	6	3·7	8·5	49·3	91·0
9	12	Do. Mortakha, T. ...	56	1·8	11·3	66·6	96·2
1	12	Amrit Rao, do. T. ...	5	2·0	5·6	80·	100·0
0	9	Hari Narayan do. O. T. ...	5	...	4·4	41·6	100·
0	1	Govind Rao Ganesh, T. ...	1	9·0	...	50·	100·
		CHHINDWARA.					
3	...	Major E. M. Playfair, D. C. ...	23	1·2	9·2	39	96·1
8	22	Lieut.-Colonel H. F. Waddington, D. C.	93	3·6	11·5	54	79·7
8	7	Captain F. B. Morris, A. C. ...	32	3·2	13·7	67·3	91·6
3	20	Mr. Liladhar, E. A. C. ...	28	3·9	15·3	53·4	62·1
7	27	Amrit Rao, T. ...	203	3·8	14·3	63·8	78·7
4	4	Seolal Dube, T. ...	135	3·9	15·6	51·3	58·4
11	10	Ghulam Mohammad Khan, T. ...	109	1·1	11·	79·8	96·8
0	21	Amir Khan, O. T. ...	9	1·	6·2	92·8	100·
9	...	Pokhar Das, H. M. ...	59	1·2	4·2	86·3	96·7
11	...	Ganpat Rao, H. M. ...	27	1·3	6·1	78·6	100·
		RAIPUR.					
...	4	Lieutenant A. Temple, O. D. C. ..	3	1·	...	...	...
1	29	Captain Lugard, O. D. C. ...	8	1·	...	...	...
8	2	Major H. F. Newmarch, D. C. ...	70	1·	98·	...	58·
1	26	Captain H. H. Hallett, O. D. C. ...	14	2·	...	...	...
...	20	Captain H. H. Hallett, A. C. ...	4	1·	1·	86·	100·
2	5	Lieutenant A. Temple, A. C. ...	2	4·	14·	100·	100·
2	15	Munshi Bakhtawar Sing, E. A. C. ...	128	2·	7·	76·	92·
9	16	Maulvie Ashfak Husen, E. A. C. ...	521	2·	12·	76·	82·
12	...	Babu Bireswar Datt, E. A. C. ...	11	1·	19·	75·	100·
11	...	Mr. D. Sinclair, E. A. C. ...	75	2·	4·	91·	96·
12	...	Yakub Ali, Raipur, T. ...	140	1·	8·	66·	95·
12	...	Ajudhya Parshad, Drug, T. ...	142	1·	9·	67·	87·
12	...	Mafuz-ul-Bari, Dhamtari, T. ...	190	1·	10·	86·	100·
8	25	Hira Lal, Simga, T. ...	153	1·	7·	80·	92·
3	5	Ramsarn Lall, O. T. ...	35	1·	10·	60·	100·
4	9	F. R. Blewitt, Esq., H. M. ...	10	17·	...	38·	17·
12	...	Raghupat Rao, H. M. ...	104	3·	7·	39·	97·
12	...	Raja Padam Sing, H. M. ...	28	3·	16·	72·	67·
7	3	Raja Umrao Singh, H. M. ...	11	58·	4·	46·	100·
11	...	Chingu Sao, H. M. ...	40	1·	5·	73·	100·

CRIMINAL STATEMENT No. XI.—(*Continued.*)

Period of Employment.		Name and designation of Officer.	Number of cases disposed of	Average duration of cases.		Percentage of persons convicted or committed to persons for disposal.	Percentage of witnesses discharged in one day to total number summoned.
				Police cases (Statement 4A.)	Other cases (Statement 4B.)		
1		2	3	4	5	6	7
		SAMBALPUR.					
		Captain M. M. Bowie, D. C. ...	56	1·	5·4	39·	72·8
		A. M. Russel, Esq., A. C. ...	327	1·6	7·9	79·	92·
		Balmukand Putnaik, T. ...	147	1·3	8·6	68·6	85·
		Satvya Badi Parhi, T. ...	245	1·2	10·6	65·2	96·1
		BILASPUR.					
12	...	Mr. J. F. Beddy, O. D. C. ...	73	11·	9·3	20·3	100·
12	...	Mr. S. N. Bose, E. A. C. ...	237	4·9	13·3	56·7	72·4
2	3	Mr. Ashfak Husen, E. A. C. ...	5	1·	24·5	71·4	100·
12	...	Abdul Subhan, T. ...	284	4·3	14·8	62·3	75·5
12	...	Krishna Rao, T. ...	213	4·6	15·2	58·5	97·5
12	...	Muntazim-ud-din, T. ...	193	4·2	13·3	46·7	99·5
12	...	Luchmi Das, H. M. ...	28	1·7	6·	73·3	78·8
10	23	Narayan Singh, H. M. ...	16	5·6	3·3	65·6	100·
12	...	Durga Datt, H. M. ...	38	1·	12·	79·	90·
		UPPER GODAVARI.					
12	...	Lieutenant-Colonel J. Ashburner, D. C. ...	27	7·1	4·1	50·	75·
10	...	Dr. J. B. Gaffney, H. M. ...	113	1·3	3·6	62·4	97·1
10	23	J. H. Glass, Esq., H. M. ...	4	2·	1·	100·	100·
10	24	D. Nagabushanam, T ...	32	2·4	4·	55·9	95·9

8—83—385.

REPORT

ON THE

Judicial Administration

(Criminal)

OF THE

CENTRAL PROVINCES,

FOR

THE YEAR 1872.

NAGPUR:

PRINTED AT THE CHIEF COMMISSIONER'S OFFICE PRESS.

1873.

T—17—114—360

No. $\frac{2273}{100}$

FROM

J. W. NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 14th July 1873.

SIR,

I am directed by the Chief Commissioner to acknowledge the receipt of the Judicial Commissioner's report on the administration of Criminal Justice during the year 1872. The report, which the Chief Commissioner regrets to observe has been received long after the date fixed for its submission, is divided into eight Sections, on each of which the Chief Commissioner has a few remarks to offer. And first therefore regarding the number of tribunals—the important subject discussed in the first Section.

2. It is shown that throughout the Provinces there are only 98 separate places where a Magistrate's Court may be formed. Considering the large area over which the Province extends, the number of such places is undoubtedly small. The Chief Commissioner therefore fully participates in the Judicial Commissioner's desire to see more Magistrates' Courts opened in the interior of districts at places where there is now no resident Magistrate. Stipendiary Magistrates cannot be appointed in greater numbers than now exist, and the alternative is to create more Honorary Magistrates. Mr. Morris is most willing to confer Magisterial powers on Native gentlemen of worth and distinction, and the appointment of 13 Honorary Magistrates during the past year may be considered a proof thereof; but he cannot undertake to entrust the important duties of a Magistrate to any one unless the fitness of such person is either known to the Chief Commissioner himself, or is guaranteed by the recommendation of the Commissioner and Deputy Commissioner. Mr. Morris would regret it extremely, were it the case, as the Judicial Commissioner appears to believe, that local officers are indisposed to recommend the enrolment among the Magistracy of persons who are really fit. Such reluctance would be quite inexplicable considering the great assistance afforded by Honorary Magistrates in the administration of justice, and is inconsistent with the terms in which these gentlemen are generally spoken of. The extracts given from the reports of the Deputy Commissioners of Narsinghpur and Nimar and from that of the Officiating Commissioner of Chhattisgarh do not altogether give the impression that these officers are disinclined to recommend fit persons for the office of Magistrate. They rather show a disposition to be careful in the selection of men, and it is very necessary that the selection should be careful. The Deputy Commissioner of Narsinghpur for instance says "it is hard to find men fit for powers," and yet on his recommendation one gentleman was appointed an Honorary Magistrate during the year. The Deputy Commissioner may have been moreover made peculiarly cautious owing to the misconduct of one of the Honorary Magistrates in his district, which eventually led to the Honorary Magistrate being removed from his position.

In Nimar the caution of the Deputy Commissioner appears to have been also fully justified.

In Chhattisgarh, the Officiating Commissioner, if the Chief Commissioner understands him aright, explains that there are no persons whom he can at present recommend as fit, and that the present Honorary Magistrates are not well spoken of, which must mean that they have not the respect or confidence of the people. Under these circumstances it appears to the Chief Commissioner impossible to move, and while he regrets that the facts should be so, he cannot blame the local officers for not wishing to associate with themselves in the administration of justice, men without influence and unable to command respect.

3. The Officiating Commissioner of Chhattisgarh has further raised the question of the powers of dealing with petty offences exercised by the Zamindars of the Zamindaris in the Raipur and Bilaspur districts. He states that these Zamindars themselves deal with petty crime committed in their Zamindaris, though they act under no law and no powers have ever been delegated to them. He proposes that their position be formally recognised, and that the Zamindaris should be removed from the operation of the Codes of Criminal law, the Zamindars being allowed to deal in any way they like with petty crime, having their power of punishment limited, and all serious offences being sent for trial before the regular Magistrates. On the other hand the Judicial Commissioner cannot recognise any sharp distinction between the Zamindaris and the rest of the district. He does not see why these Zamindars, if they are to have any powers, should not be made Magistrates under the Code. The intricacies of the Code are, he thinks, merely an imaginary difficulty, and he would treat the Zamindaris in the same way as the Khalsa, appointing the Zamindars ordinary Magistrates. "The people" he says "are taking the matter into their own hands in a clandes-" tine and therefore demoralising way. The want of Magistrates is so urgent " that it is proposed to go on winking at this. It is admitted that the result " may be as good as if procedure had been according to law. Magisterial inves-" titure would only bring that which is clandestine into open day, keep within " bounds that which may be erratic, and while making the agency safer elevate " the status, and yet Magisterial investiture is the one thing objected to." The Chief Commissioner would have preferred not to have had the discussion of the administration of these Zamindaris brought by the Officiating Commissioner of Chhattisgarh into an annual Criminal report, and he does not propose to deal with, much less to dispose of, this important subject on the present occasion. Mr. Morris regards the question as one affecting the status of the Zamindars, and which consequently in his opinion should be taken up from an administrative, rather than a judicial point of view. He proposes therefore to deal with the subject separately, after satisfying himself by carefully instituted enquiries as to the real facts of the case, regarding which he is at present not without doubts.

At the same time he may say now that he cannot regard the proceedings of these Zamindars as clandestine or look upon the irregular but popular jurisdiction they exercise as demoralizing. The Zamindars are simply doing what law and custom allowed them to do before the Nagpur Province became British territory, and a formal recognition of their position as guardians of order within their Zamindaris is alone wanting.

4. Section B. treats of the state of crime, and shows that 44,869 offences were committed against 36,719 in the preceding year. The increase was owing to minor offences against property and nuisances under the Municipal and Cantonment Bye-laws and the Police Act. On the former class of offences the Chief Commissioner has on the occasion of reviewing the Police Administration Report made such remarks as the statistics for the year suggested to him, and he need not for the second time discuss the subject of offences which are cognizable by the Police. A brief notice of the more important remarks made by the Judicial Commissioner will be enough.

5. *Paragraph* 14. The matter of Kotwars in the Chhattisgarh Division will receive the Chief Commissioner's attention. Mr. Morris is not quite certain whether the Judicial Commissioner deprecates any action of the kind proposed by the

Officiating Commissioner in the interests of the Kotwars, or of the land-holders, or of the Police administration, but he quite concurs with Colonel Mackenzie that all interests secured at the Settlement must be respected. He can indeed scarcely think that the Officiating Commissioner would wish to tamper with the Settlement or injure any interests at that time created or recognized.

6. *Paragraph* 15. The Chief Commissioner generally agrees in the remarks made on the subject of prosecutions for breach of Municipal or Cantonment Conservancy bye-laws. Indiscriminate rigour is certainly to be avoided, and there can be no question that if permanent improvement in conservancy is aimed at, it is essential that the Local and Municipal authorities "should carry the people with them." But as it is well known that all interference with old ways and habits is distasteful to and resented by the multitude, the authorities might have to wait for ever, unless they made a beginning as soon as they can count on the moral support of an intelligent minority. The punishment of some individuals will always be necessary to enforce the obedience of the mass, for the Chief Commissioner cannot say that his experience allows of his entirely concurring in the Judicial Commissioner's remark that "the people are on the whole obediently inclined in respect of sanitary orders of a practical or reasonable kind." He fears that to the masses all our efforts to introduce conservancy and enforce cleanliness appear utterly unreasonable.

The Deputy Commissioner of Narsinghpur will be asked to explain the circumstances attending the apparently summary and hasty action of the authorities at Narsinghpur described by the Judicial Commissioner. Not being in possession of full particulars, the Chief Commissioner will not say more regarding what certainly appears to have been an inconsiderate act, but which may admit of some explanation, for in the Narsinghpur district generally the number of convictions for breach of Municipal Bye-laws is not very large.

In Jabalpur prosecutions have been far too numerous, and generally the Chief Commissioner would enjoin on all Government officers and Municipal authorities moderation in sending before the Magistrates offenders against the Municipal Bye-laws. Still in giving this warning, it is by no means the Chief Commissioner's wish that those bye-laws should become a dead letter.

7. *Paragraph* 20. In this paragraph the Judicial Commissioner remarks on the subject of prosecutions for vagrancy and bad habit and repute. Throughout the whole Province there were only 335 cases, and in the district in which the largest number of prosecutions were had viz, in Narsinghpur, there were only 69.

Mr. Morris regrets that the Judicial Commissioner, to judge from his general remarks, views such prosecutions with dislike, for to Mr. Morris it appears that the power to take security from a bad character or else lock him up, is one that should not be allowed to lie unused, and that it lies at the root of good Police administration. Certainly the number of prosecutions given above is anything but large, and if the Judicial Commissioner's objection be that the law is worked spasmodically, assuredly in a matter of this kind it is better that the law should be so worked than that it should not be worked at all. For this reason the Chief Commissioner cannot but approve of the efforts made in Narsinghpur, Jabalpur, Wardha and Hoshangabad. The Deputy Commissioner of the first mentioned district has referred to a raid made by him on bad characters in the town of Chhindwara, on which the Judicial Commissioner has remarked that "in a district like Narsinghpur there should be no occasion for raids against "the bad characters, and the Chief Commissioner knows how in the town of "Chhindwara in that district the raid referred to by the Deputy Commissioner "was undertaken in a kind of panic induced by an ill-judged Police report whose "sensational character was exposed by the Inspector General of Police himself." The term "raid" may not have been a very well selected one, but while agreeing fully with the Judicial Commissioner that it should not be necessary

to make such raids, because there should be continuous action against men of the class referred to, the Chief Commissioner must still feel satisfied at inaction having given place to action; and if a sensational report was required to rouse the Deputy Commissioner, that report has done good, for the Deputy Commissioner though he found that matters had been exaggerated did nevertheless find prosecutions necessary, as he himself clearly states.

The Jabalpur Police are said to have found it easier to get witnesses to proceed to the Court and give evidence against bad characters, since they were paid their travelling expenses. There may be good reason for this, for witnesses who are not *obliged* to appear and give evidence may well refuse if they lose time and money in going to Court. In most cases witnesses have no option, and must go. But the action of the Jabalpur Police has provoked the Judicial Commissioner's remark that it "when taken in connection with the known difficulty of getting respectable persons to give evidence of bad characters is "unpleasantly suggestive." It is unfortunate that the Jabalpur Police should have laid themselves open to such an insinuation, but the Chief Commissioner would hope that the real facts do not warrant any discreditable inference.

From the final remarks of the Judicial Commissioner the Chief Commissioner thinks it necessary that Magistartes should more carefully study and seek to understand the law on the subject of vagrancy and bad livelihood. That it is not as fully understood as it should be is clear, and there are, the Chief Commissioner thinks, no districts in the Central Provinces where prosecutions of the kind would not be advantageous.

8. *Paragraph* 21. The Chief Commissioner regrets to see so many prosecutions under the Salt law. The remarks of the Deputy Commissioner of Sambalpur on the subject show that his district is exceptionally placed and the people have greater inducement to smuggle than elsewhere. The Chief Commissioner has done all in his power to remedy the evils the people of Sambalpur had to complain of, and he believes that they have been diminished.

9. The remaining paragraphs under this Section appear to the Chief Commissioner to require no notice from him. The Judicial Commissioner's remarks regarding illegal gratification, enticing with criminal intent, hurt and assault, and criminal intimidation or insult, will doubtless receive attention from all Magistrates.

10. Section C. shows how the various cases were distributed among the various Courts.

It appears that Stipendiary Magistrates disposed
of 28,643 or 60·7 per cent of persons brought before Magtes.
Hony. Magistrates of 16,199 or 34·4 " "
Dy. Commissioners of 2,300 or 4·9 " "

This shows of what very great assistance the Honorary Magistrates are, and the remarks made regarding them in this Section are generally concurred in by the Chief Commissioner. It is to be regretted that Deputy Commissioners have not disposed of more Magisterial work, and the Chief Commissioner would especially like to see them do more Magisterial work when they are on tour The power given them under the amended Code to try summarily certain classes of offences may lead them to take up more cases, and the Chief Commissioner would expressly mention with reference to the extract from the Sagar report, that it is not merely full power cases, as they are called, that the Chief Commissioner would like to see them take up occasionally There are many very important classes of offences which the lower class Magistrates are by law competent to deal with, but some of which the Magistrate of the district might try with advantage.

390 persons were tried by Deputy Commssioners as Courts of Session. In future they will try such cases like ordinary Magisterial cases,— a great improvement in the Chief Commissioner's opinion. Only 155 persons are shown as having been tried by Courts of Session.

11. Section D. is descriptive of the action of the Tribunals. Of 47,489 persons under trial 17,709 or 36 per cent were acquitted or discharged.

The Judicial Commissioner has generally remarked on the number of cases successfully prosecuted under the more important headings.

12. *Paragraph* 45. Where so few persons were prosecuted for giving false evidence, it is to be regretted that more convictions were not obtained.

13. *Paragraph* 52. The large percentage of acquittals, 60 per cent, in cases of assault, is not a satisfactory feature in the report, and the Chief Commissioner quite concurs in all the remarks that have been made by the Judicial Commissioner.

The last remarks in this Section at the end of paragraph 62 show that it is impossible to compare together different districts in respect to the amount of crime committed in them or in respect of the success shown in dealing with the offenders unless certain classes of offences are omitted from consideration. Where there is no Salt Customs line there will be no prosecution for breach of the Salt Act, where there are no Municipal towns there will be no breaches of Municipal bye-laws; where there are fewer Magistrates and the population is scanty and spread over a wide area there will be few complaints of petty assaults and trifling injuries of a like nature; while the nature of the offence determines the probability of conviction.

14. The next Section E. contains an elaborate comparison of the different punishments awarded and the preponderance of certain modes of punishment in different districts.

Altogether of 28,960 persons punished,

18,577 or 64·2 per cent were fined only.

7,141 or 24·7 per cent were sent to prison, of whom 1,532 were fined also and 500 whipped,

3,199 or 11 per cent were only whipped,

1 was transported for a term of years,

21 were transported for life, and

18 were capitally punished.

Compared with the year 1871 the principal difference seen in the mode of punishment awarded is that the number of persons fined only fell off by 2½ per cent, while the numbers imprisoned increased *pro tanto*. There is otherwise no change worth noticing.

The Judicial Commissioner would appear to look upon the trifling difference referred to as a bad sign, and paragraphs 64 to 66 of the report are devoted to a comparison between different districts, in respect of the proportion which in each of them the number of persons sentenced to imprisonment and whipping bears to the number of convictions for theft and house-breaking, and of the difference between that proportion and the same proportion calculated for the Province as a whole. After showing, that, assuming the Provincial proportion to be what it ought to be, the Magistrates of several districts might be considered open to the charge of having awarded imprisonment and whipping too freely, while in others similarly judged, these punishments were too sparingly resorted to,—

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it is stated "of course apparent severities may be explainable by disproportionate convictions for offences other than theft and house-breaking, &c., which "might properly be punished with imprisonment or whipping, but the inferences "as to leniency are not open to question." The Chief Commissioner has himself no doubt that the above suggests an entirely satisfactory explanation of the "apparent severities," while it may be added that when percentages are taken on small numbers a very slight increase to one or other of the figures between which the proportion is calculated makes a very startling difference, and in some of the districts which are referred to, the numbers used in the calculations have been very small. As regards the districts in which the punishment of imprisonment or whipping appear to have been too sparingly used, they are reduced by the Judicial Commissioner himself to Sagar and the Upper Godavari district, and in those districts the Chief Commissioner is satisfied that fine has been too generally substituted for every other kind of punishment.

The number of persons whipped as a sole punishment is, taking the Province as a whole, perhaps fairly large, but as an addition to imprisonment whipping is but sparingly resorted to compared with the frequency with which the punishment is awarded as a sole punishment. The 68th paragraph of the report shows considerable divergence between different districts.

Fine also as an additional punishment is as a rule in too little favour; and the Judicial Commissioner has further shown how little the Magistrates avail themselves of their powers to sentence prisoners to solitary confinement.

Again it may perhaps be inferred from the statistics given in paragraph 75 that Magistrates are chary in the matter of granting compensation to injured parties out of fines imposed; but the Chief Commissioner is not prepared to say that the districts in which least compensation appears to have been given are those in which the power to grant compensation has been least appreciated. There are many circumstances which must determine whether compensation should be given to a complainant or not. It is chiefly in the case of offences against property that compensation is appropriate, and in such cases it has to be considered whether the property has been recovered or is greatly injured. Again in districts where a number of petty grain thefts occur compensation would not ordinarily be given, and this was the case in some of the districts in which compensation has been but rarely given. Lastly when thefts or similar offences are committed by persons without means, they are either flogged or sent to Gaol, and no fine is imposed, as to impose a fine on people in such circumstances would be useless. Still the Chief Commissioner is glad that the Judicial Commissioner has called attention to an important provision in the law which seems to have been somewhat overlooked.

15. *Paragraph* 76.—Shows the various fines classified according to amount.

In 79·5 per cent of cases the fines imposed by Magistrates were below Rs 5; in 16·3 per cent above Rs. 5 and below Rs. 20; and in 4·2 per cent of cases only did the fine exceed Rs. 20.

From this the Chief Commissioner is satisfied that as a rule fines are sufficiently moderate, and he is convinced that an examination of the circumstances of different districts, and the particular offences which are most frequent in them, would explain why in some fines seem severer than in others. For instance in the case of the comparison between Chanda and Mandla made by the Judicial Commissioner the number of prosecutions under the Municipal Bye-laws would explain why fines appear to have been light in Chanda, compared with Mandla.

Of persons sentenced to whipping, 37 per cent received less than 10 stripes, 48 per cent less than 20 but more than 10, and only 15 per cent more than 20. The Chief Commissioner fully concurs in the Judicial Commissioner's remarks on this subject, and thinks that too many persons are sentenced to be punished with less than 10 stripes

16. *Paragraphs* 80 *and* 81.—Of the number of persons imprisoned,—7,141,

17·6	were imprisoned for less than 15 days.		
34·1	,,	,,	2 months.
32·1	,,	,,	6 months.
16·2	,,	more than 6 months.	

These figures seem to show that Magistrates have certainly not erred on the side of severity in awarding sentences of imprisonment.

In Sagar, Bhandara, Chhindwara, Nagpur, Wardha, and Nimar, the percentage of persons sentenced to less than 15 days' imprisonment was 32, 30, 29, 24, 24, 24, respectively, and the Chief Commissioner has no hesitation in saying that it would have been better had, in a considerable number of these cases, a longer term of imprisonment been awarded. In this he is supported by the Judicial Commissioner's remarks. But Mr. Morris cannot agree with the Judicial Commissioner that, judging from the statistics only and the suggestions which a comparison of the statistics furnished may convey, sentences to imprisonment have been in any district too long. Narsinghpur is the district in which a greater proportion of persons imprisoned have been sentenced for comparatively long terms than in any other. In Narsinghpur 28 per cent of persons imprisoned were imprisoned for terms exceeding six months. Considering that in Narsinghpur only 25 per cent of the persons convicted were sent to prison at all, the Chief Commissioner does not think that because 28 per cent of these were sentenced to terms exceeding six months any undue severity need be inferred, and when he finds that in the Narsinghpur Gaol 19 per cent of the prisoners had been convicted on one or more previous occasions, he is the more fortified in his conclusion.

It is clear again that in Nimar, Seoni, and Raipur, where the sentences above six months are only 8, 7, and 4 per cent of the whole, the sentences to imprisonment were altogether too short. The Chief Commissioner cannot accept the explanation offered that "as regards Seoni and Raipur, the comparative "lightness of the imprisonments is partly accounted for by the comparatively small proportion of thieves and house-breakers, who * * were included in the "persons imprisoned." The Deputy Commissioner of Raipur does not attempt any such explanation, but says "with my short experience it is not for me to "say that conditions do not exist here which render an exceptional leniency in "the treatment of crime desirable, but I have as yet been unable to perceive "them, and I have no hesitation in stating that the punishments inflicted have "been miserably below the standard which may "be expected to sensibly affect the criminal "classes to which very many more than 16 per-"sons* of those punished must have belonged."

* Only 16 persons were sentenced to imprisonment for a period exceeding six months.

17. The Chief Commissioner would make a few general remarks on the punishments awarded by Magistrates. It appears to him that there is a tendency among Magistrates to look upon imprisonment as in itself so severe a punishment that it should be awarded only in a few cases, and then only for very moderate periods.

Out of 28,960 persons convicted of offences only 7,141 have been sent to gaol. Fine is the punishment which is beyond all others in favour, but fine, though an excellent punishment, may be overdone, and considering the very small fines generally imposed (nearly 80 per cent of persons fined were fined less than Rs. 5) severe fines do not take the place of imprisonment as a punishment.

Assuming fines to have been properly imposed as a fitting and sufficient punishment in all the cases in which that punishment has been resorted to, the Chief Commissioner would say that the sentences of imprisonment are in a very great number of cases too short, and he is more especially led to form this conclusion, because so large a proportion of crime in the Central Provinces is committed by thieves and house-breakers. These men are generally poor and idle, they will not work. For such men neither fine nor a mere whipping is a proper punishment. They should be sent to gaol and made to work. It is hard labour they dislike, to make them labour hard is the best punishment that can be devised.

18. The Chief Commissioner is aware that comparisons between this and other Provinces in the matter of crime and punishments can only be made with caution, but they are at times suggestive. The following may be noted :—

In 1871, of persons convicted in the Punjab 39 per cent were imprisoned, of whom 30 per cent were sentenced for periods exceeding six months ; 57 per cent were fined only.

In the North Western Provinces of those convicted 26 per cent were imprisoned, of whom 26 per cent were sentenced to terms exceeding 6 months ; 68 per cent were fined only.

In Oudh of convicted persons 31 per cent were sent to gaol, of whom 22 per cent were sentenced to terms exceeding 6 months ; 52 per cent were fined only.

In the Central Provinces of persons convicted 24·7 per cent were imprisoned, of whom only 16·2 per cent were sentenced for terms exceeding 6 months; 64 per cent were fined only.

The one thing observable in the statistics for all three Provinces is that the terms of imprisonment are longer. It is of course true that the character of the crime in these Provinces varies, but looking to the one point on which the Judicial Commisioner has laid stress, that imprisonment and whipping may be expected to be more or less frequent as convictions for theft or house-breaking are more or less numerous, it is noteworthy that while in the Central Provinces the proportion of persons convicted of these offences to the total convictions is 31 per cent, in the Punjab it is 19, in the North Western Provinces 17, and in Oudh 25 per cent.

The Chief Commissioner is not prepared to say that Magisterial sentences are as a rule too light, but he does think that the sentences of imprisonment are too light, and more especially does he think this the case in graver crimes against the person and second or subsequent convictions of theft or house-breaking. The district of Sagar well illustrates the latter instance. The Deputy Commissioner of Sagar found that of persons convicted of petty offences against property alone; 14 per cent (more than 100 persons) were old offenders, while the Jail returns show 18 per cent of prisoners who are old offenders, and yet in Sagar had only 57 prisoners in all been sentenced to terms exceeding 6 months.

The Commissioner of the Jabalpur Division has also in his report animadverted on some "very inadequate" sentences passed by Magistrates in his Division in cases of more serious offences against the person. Two of these had accident-

ally come to the Chief Commissioner's notice before the Commissioner's report was seen by him, and after reading the proceedings he could not help coming to the same conclusion as the Commissioner, though he regrets to see that in one of these cases at least the Judicial Commissioner is of a different opinion.

The Chief Commissioner has no fear that the remarks he has made will lead Magistrates to give severe sentences against their better judgments. All that he wishes to effect is that they shall judge for themselves and endeavour to realize the magnitude of each individual offence, not only the comparative turpitude of each class of offence. This would surely prevent such sentences being ever given as a few days imprisonment to an old thief, a few rupees fine for grievous hurt ending in death, or a whipping to a lad of 15 for the rape of a child of 8.

The Chief Commissioner would also call the attention of all Magistrates to Section 46 of the Code of Criminal Procedure, which provides for a Magistrate of the 2nd or 3rd class sending an accused person whom he has found guilty, but on whom he cannot pass a sentence sufficiently severe, to the Magistrate of the District for the purpose of a proper sentence being passed. The great number of sentences of imprisonment below 6 months may be due to the fact that a very great proportion of cases are tried by Honorary Magistrates and Stipendiary Magistrates with 2nd or 3rd class powers, and it is well that they should understand how to deal with offenders who deserve a severer punishment than they can inflict for an offence which they are yet competent to try.

19. *Paragraph* 85. The Judicial Commissioner's remarks on the realization of fines show that it has been fairly good and that Magistrates are paying attention to the very important point of seeing the sentences really executed, which is all the more important since fines play so great a part in our administration of Criminal Justice.

20. Section F. is concerned with the witnesses who appeared before the various Criminal Courts. Since of 92,111 witnesses, 89·8 per cent were examined and departed in 1 day, 7·7 in 2 days, and only 2·5 were detained more than 2 days, the expedition with which cases were tried is creditable to the Courts. The Courts in the districts of Balaghat, Chhindwara and the Upper Godavari might show some improvement, and the Judicial Commissioner's remarks will doubtless bring it about.

21. Section G. shows the number and results of appeals.

991 appeals were made to Magistrates of districts.

777 to Courts of Session.

217 to the Judicial Commissioner.

The appeals are not very numerous, and the original orders were confirmed by Magistrates of Districts in 54 per cent, by Courts of Sessions in 59 per cent, and by the Judicial Commissioner in 45·5 per cent of cases. The higher proportion of reversals in the Judicial Commissioner's Court is explained as the result of exceptional circumstances.

22. Section H. shows the duration of cases. Police cases were disposed of by Magistrates in 2·4 days. Although the Judicial Commissioner thinks this average still too long, the Chief Commissioner thinks it is already fairly good, but Colonel Mackenzie's remarks on the subject in paragraph 94 should be attentively perused by all Magistrates.

Cases on complaint were on an average 9 days in Court, the highest average in any district being 12 days Such cases were disposed of with quite sufficient rapidity. The duration in Sessions Courts was 53 7 days, being shortest in the Nagpur Division—27, and longest in Chhattisgarh—68 4

23 This completes the review of the Criminal administration of the year, and on the whole the Chief Commissioner thinks the retrospect is satisfactory In certain respects, for instance in procedure and matters of routine, he believes the action of the Courts to be very satisfactory, and this is the result of the great care bestowed by the Judicial Commissioner on such matters The Chief Commissioner would particularly record his sense of what the administration of Justice in these Provinces owes to Colonel Mackenzie, and he the more readily avails himself of this opportunity to do so because on one or two points he has been obliged to express dissent from the Judicial Commissioner's views.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. NEILL,

Officiating Secretary

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REPORT

ON THE

Judicial Administration

(Criminal)

OF THE

CENTRAL PROVINCES,

FOR

THE YEAR 1873

NAGPUR:

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1874

No. 543.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 3rd June 1873.

SIR,

I have the honor to submit the report on the Administration of Criminal Justice in these Provinces during the year 1872, together with the usual Statements.* The several Divisional and District reports accompany in original.

* IMPERIAL STATEMENTS.

B 1.—Showing the various Judicial Tribunals, original and appellate.
B 2.—Showing offences reported and persons tried, convicted, and acquitted for each offence.
B 3.—Showing the general results of Criminal trials in the Tribunals of various classes.
B 4.—Showing the punishments inflicted by the various Criminal Tribunals.
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PROVINCIAL STATEMENTS.

II.—Exhibiting details of Magisterial business in the several districts.
III.—Exhibiting Magisterial punishments in the several districts.
IV.—Fine Accounts
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VII.—Exhibiting appeals and references to the High Court for revision.

2. The subject will be treated under the following Sections :—

Order of subjects.

A.—The Tribunals (Statement B. 1.)

B.—The state of crime (Statement B. 2.)

C.—The distribution of business among the several classes of Courts, (Statement B. 3.)

D.—The result of trial in the Courts of original jurisdiction, (Statements B. 2 and II.)

E.—Punishments, (Statements B. 4, III., and IV.)

F.—Witnesses, (Statement VI.)

G.—Appeals, reference, and revision, (Statements B. 5 and VII.)

H.—Duration of cases, (Statements B. 3 and V.)

A.—THE TRIBUNALS.

The Suddur Court.

3. The Court of the Judicial Commissioner underwent no change.

C—26—213—300

Courts of Session.

4. Two Courts of Session additional to the four permanent Courts of Session were temporarily established during the year, for about a month,—one in the Narbada and one in the Nagpur Division.

The Magistracy.

5. The following Table shows the strength of the Magistracy at the close of the year :—

DISTRICTS.	Stipendiary.			Honorary.		
	*Exercising the powers of a Magistrate.	Subordinate Magistrates 1st Class.	Subordinate Magistrates 2nd Class.	Exercising the powers of a Magistrate.	Subordinate Magistrates 1st Class.	Subordinate Magistrates 2nd Class.
Nagpur ...	4	6	...	2	5	...
Chanda ...	3	3	...	...	3	..
Bhandara ...	2	1	2	1	1	...
Wardha ...	2	4	...	...	2	2
Balaghat ...	2	1	1	...	...	...
Sironcha ...	1	1	1	..	...	...
Jabalpur ..	5	2	3	...	3	4
Sagar ...	3	4	1	...	2	6
Damoh ...	1	2	1	...	2	1
Seoni ...	2	3	1	...	...	3
Mandla ...	2	1	1	...	1	1
Hoshangabad ..	4	2	1	...	5	4
Narsinghpur ..	2	1	1	...	1	4
Nimar ...	4	2	1	...	3	1
Betul ...	2	1	1	...	2	...
Chhindwara ..	2	1	1	...	...	2
Raipur ...	4	4	..	..	5	2
Bilaspur ...	2	2	1	...	1	2
Sambalpur ...	2	1	1	...	...	...
Total ...	49	42	18	3	36	32

* As a rule Magistrates exercising the powers of a Magistrate who were Deputy Commissioners were invested with powers under Section 445A., Code of Criminal Procedure.

† 19.—Head-quarter stations of districts
3.—Head quarter stations of divisions of districts.
36.—Head quarter stations of Tahsil sub-divisions of districts.

The stipendiary Magistrates form a body of tolerably fixed strength. Their Courts are ordinarily held at 58 places.†

* Died ...	...	7
Left the Provinces ‡	...	2
Powers withdrawn	...	1
		10

‡ Mr. Olpherts and Kazi Asizul Rahman, both particularly useful Magistrates.

† Nagpur district	...	1
Chanda ,,	...	2
Wardha ,,	.	1
Jabalpur ,,	...	3
Hoshangabad ,,	...	3
Narsinghpur ,,	..	1
Nimar ,,	...	1
Raipur ,,	...	1
		13

The number of Honorary Magistrates fluctuates. At the commencement of the year it stood at 66, during the year there were 10* casualties and 13 new appointments.†

6. Of the Honorary Magistrates holding office at the close of the year, 40 performed Magisterial duty at 40* places otherwise unprovided with a Magistrate's Court. Throughout the Provinces then 98 places were provided with Magistrates' Courts. Many more places should be so provided. People continue to suffer much hardship in their resort to very distant Courts* and it is most desirable that more Magistrates' Courts should be opened in the interior of districts. The subject has been annually brought under the Chief Commissioner's notice. Personal fitness is of course essential to the appointment of a Magistrate. But local officers are, so the Judicial Commissioner thinks, sometimes backward in nominating persons who are fit. Of the 13 new appointments of the year at least 3 might probably have been made at an earlier period, and there is a certain stiffness in nominating persons of known fitness. This is indicated by some of the local reports themselves. The following extracts are in point :—

District.	*Places.	District.	*Places.
Nagpur ...	Dhappewara. Digras.	Mandla ...	Ghugri.
Chanda ...	Ahiri. Rangi. Piparda.	Hoshangabad ..	Chanrahet. Sohpur. Khaparia. Sohagpur.
Bhandara ...	Kantha.		Fatehpur.
Wardha ..	Warnera. Ashti. Deoli.	Narsinghpur	Magardha. Pipara. Imjhira.
Jabalpur ..	Belkhera. Salaya Barwara. Rohania. Bijeraghogarh.	Nimar ..	Mandhata
		Chhindwara ..	Pandhurna. Ledhikhera.
Sagar ...	Garola. Garhakota. Khimlasa. Rasena.	Raipur ...	Rajim. Korba. Pindaria. Laun.
Seoni ...	Ari .. Pahari ..	Bilaspur ..	Kusmol. Ratanpur. Lormi. Champa.

* Even the reasonable expenses of poor complainants and witnesses have not been paid.

" (*Narsinghpur district report, para 15.*)—There is not a single Honorary Magistrate resident in any part of the district to the east of Narsinghpur, and the same may be said of Chauarpatha, and this portion of the district constitutes nearly one-half of the whole. It is hard to find men fit for powers to fill up this gap, but I have long had my eye on one or two native gentlemen who, I think, might be safely and usefully invested with powers in the east of the district, and I hope before long to be able to submit proposals in this regard."

This has been nearly the exact condition of things for the last 7 years.

" (*Nimar district report, para 20*)—In last year's report it was recommended that an increase of two Honorary Magistrates should be made at Beria and at Mangrod, but no action was taken, and these two places are yet without their resident Magistrates. In the face of an increase of petty crime, in the shape of offences against property small in amount, it is very desirable that the aid of Native gentlemen capable of undertaking the duties of Criminal Judges should be called in * * * I cannot myself speak to the qualifications of any of the Native gentlemen of the district, but bearing in mind what my predecessor has recorded on this subject, I hope ere long to submit specific proposals in the matter."

A subsequent report shows that previous conclusions as to the personal fitness of nominees are now distrusted.

" (*Chhattisgarh Division report, para 7.*)—The question of increasing the number of Magistrates' Courts in this Division is a subject of much importance and of considerable difficulty. With the exception of Ratanpur, and of the towns which form the head-quarters of districts, there are no places which can be rightly called towns, and excluding the Zamindars, the number of men with local influence beyond their

own trading circle or their own village is extremely small. As a rule, the selections for Honorary Magistrates in the Khalsa have not been fortunate; the people do not like the action of judges who owe their position neither to hereditary standing nor to Government service, and their Courts are not well spoken of. I think, therefore, that at present we cannot expect to see any increase in the number of Honorary Magistrates in the Khalsa tracts."

This is disappointing. In the Chhattisgarh Division there are, in what the Commissioner refers to as the Khalsa, only 5 Honorary Magistrates, 1 at Rattanpur in the Bilaspur district, 1 at Raipur itself, and 3 in the interior of the Raipur district. One of the latter was (unsuccessfully) prosecuted during the year at the instance of the Commissioner. But although the Courts of the others may not be well spoken of, they do a good deal of work apparently with average effect. In any case it seems unreasonable that because these 5 Honorary Magistrates may not be well spoken of, nominations of fit men should cease. The Commissioner proceeds :—

"But in the Zamindaries the circumstances are completely different. The Zamindar is the head of his people, is looked up to by all, and is the referee in every matter. Nothing then would seem easier than to take advantage of this state of society, and appoint each Zamindar Magistrate for his own Zamindari. But unfortunately, in nine cases out of ten, the Zamindar, when appointed, would not exercise his powers. He would have a dread of the intricacies of the Criminal Codes, and of the returns to be sent in, and if a Mohurir were furnished, the Mohurir would become the real Magistrate in such show cases as were recorded during the year. But for all that, the Zamindars habitually exercise Judicial powers, although they exercise them illegally, and, in a certain sense, clandestinely. The result to the people however is probably as good as if the procedure had been according to law, and the question now is, will it not be wise to recognize this position of affairs, and by recognizing it, control and direct the ample machinery which exists for administering justice? Will it not be wise, in fact, to deal with crime as we deal with disease, and not disallow the native mode of treatment when circumstances render the scientific method unattainable. Broadly, stated my plan is this, remove the majority of the Zamindaries from the action of the Criminal Codes; in the Zamindaries so removed, divide crime into two classes; empower each Zamindar to settle in his own fashion by fine and short terms of imprisonment offences of the first class occurring within his Zamindari, the decision being written in each case, and open to revision by the Deputy Commissioner, and prescribe that offences of the second class shall be sent for trial to the District authorities. By this system we should ensure a large measure of substantial justice, we should learn much regarding the crime prevailing, and we should gradually prepare the Zamindars for a more regular procedure."

* * *

The Judicial Commissioner does not recognise these sharp distinctions drawn by the Commissioner between Zamindari and Khalsa. What is possible in the Zamindaries has, in other parts of these Provinces, been found possible in the Khalsa tracts. Also it is not only in the Zamindaries that Judicial powers are irregularly exercised for want of Judicial recognition. Under stress of necessity they are irregularly exercised in Khalsa tracts also. Witness the reports on this head :—

* * *

(*Raipur District report, para 23*).—"There are still parts of this district, which I have just traversed, which have no local Courts, and where I find that petty Zamindars decide minor cases themselves and appropriate the fines. As there is absolutely no one within 30 or 40 miles, who by any stretch of imagination could properly be considered fit to exercise magisterial powers, I am at a loss what to recommend, and I have for the present left matters as they are. The people made no complaints though invited to do so, and, as they appear to be well content with the *statu quo*, it may be for the present undesirable to disturb it."

(*Upper Godavari District report, para 2.*)—" As regard Patels, Patwaris and Kotwals, he (the District Superintendent of Police) brought to the notice of Colonel Ashburner and myself certain instances in which cases of theft had been settled in the village by the village authorities, instead of being reported."

And why it may be asked cannot these persons, whom the Commissioner is quite willing to clothe with Judicial power to fine and adjudge short terms of imprisonment outside the Code, be made Magistrates under the Code? The intricacies of the Code of Criminal Procedure form a merely imaginary difficulty. In petty cases, if proceedings are to be conducted with any regularity at all, it may be doubted if the Commissioner could lay down a less intricate procedure than that of the Code.* The Judicial Commissioner has never heard Honorary Magistrates complain of the intricacy of the Code,—the fact being that, when Magistrates make ordinary endeavour to conduct their duty on a reasonable method, the Code merely confirms their own promptings and aids in carrying them into effect.

As to returns, fine-accounts and a list or memorandum of pending cases once a quarter are now the only indispensable Returns required from Magistrates. Then as regards a Magistrate's cognizance of cases, the several classes of business can be distributed at least as well under the Code as outside it. The Deputy Commissioner of Sambalpur* recommended to the Commissioner (ineffectually) several persons for Magisterial appointment. The eligibility of several persons of good status in the Bilaspur district, favourably considered by both the Commissioner and Deputy Commissioner in 1868-69, still remains under consideration. The Chief Commissioner has expressed himself † as especially anxious to see the list of Honorary Magistrates in the Chhattisgarh Division augmented The people are taking the matter into their own hands in a clandestine and therefore demoralizing way. The want of Magistrates is so urgent that it is proposed to go on winking at this. It is admitted that the result may be "as good as if procedure had been according to law." Magisterial investiture would only bring that which is clandestine into open day, keep within bounds that which may be erratic, and while making the agency safer, elevate its status; and yet Magisterial investiture is the one thing objected to. The Chief Commissioner will, the Judicial Commissioner thinks, see now that a greatly needed addition to the Criminal Courts in the interior of the Chhattisgarh Division is confessedly feasible, and is retarded for insufficient reason.

* District Report, para 12.

† Secretary to the Chief Commissioner's No 1763-92, dated 12th May 1872

7. From para. 26 of the Upper Godavari District Report, it appears that the Record-room of that district is not in proper order. The Deputy Commissioner has been requested to report the rectification of defects as soon as possible.

Upper Godavari record-room

8. The coming into force of the new Code of Criminal Procedure from the 1st of the new year necessitated an entire revision of the Criminal Forms, both Statistical and Judicial. This was not effected without considerable strain on this office and on the Local presses, and eventually it was found necessary to send some of the Forms to Bombay. Advantage was taken of the opportunity further to simplify Statistical system in the Criminal Department, and the Registers and Returns are now probably on as simple a footing as is consistent with due administrative control and the correct preparation of the Imperial Statements.

Forms

* A popular summary of its procedure was compiled in 1863 by the Judicial Commissioner especially for the use of Honorary Magistrates, and this has recently been revised for use under the new Code.

B C E.—30—252—300

B. 2.—The State of Crime.

9. The reported crime of 1871 and 1872 is compared in abstract in the following Table under the main heads of Statement B. 2:—

In the aggregate.

Description of offence.	1871	1872
Class I.		
Offences against the State	...	1
" relating to coin, stamps, weights and measures . .	174	198
" against Public Justice . .	706	620
" by Public servants	157	145
" false evidence, false complaint or claim, and forgery	162	116
" relating to the public peace	194	219
Public nuisances	1,799	3,464
Class II.		
Offences against the person (serious) .. .	1,163	1,074
Minor offences against the person ...	10,391	10,161
Class III.		
Offences against property with violence	6,630	8,431
" " without violence	11,745	16,707
Malicious offences	1,251	1,254
Class IV.		
Offences against the Indian Penal or Criminal Procedure Codes not included in the above Classes	171	364
Other offences against special Laws.	2,176	2,114
Total ...	36,719	44,868

It will be seen that in the aggregate there has been an increase of 8,150 offences, due chiefly to an increase from 18,374 to 25,138 in offences against property, and from 1,799 to 3,464 in public nuisances.

10. The following extracts from the Divisional reports deal with these main increases in reported crime.

(Report of the Commissioner, Nagpur Division, extract paras. 3 to 7.)

In the Nagpur Division.

(*Para* 3).—The feature which marks the returns of all districts alike, is the increase of minor offences against property. The increase has been most marked in Chanda, and the Deputy Commissioner of this district has, I think, been most successful in accounting for it. Major Glasfurd points out that in 706 cases of theft and house-breaking, *i. e.*, in more than half the total number of cases reported, the property stolen was under 1 rupee in value, and, bearing this remarkable fact in mind, he argues that the increase in crime is attributable partly to the dearness of food grain, but more to the impression which has now gone abroad among the people that the minutest offences are to be reported.

(*Para* 4).—To the first of Major Glasfurd's reasons I am not disposed to attach much weight. His own report shows that the average difference in price between 1871 and 1872 was only 2·7 seers, and I observe that while the Deputy Commissioner, Chanda, dwells upon the dearness of the food of the people, the Deputy Commissioner, Bhandara, states that rice has been so plentiful as to be left unguarded, thus offering temptations to petty pilferers, and the Deputy Commissioner, Balaghat, also mentions the year as one of plenty and prosperity. I cannot believe that a difference of only 2·7 seers, grain being fairly cheap in both years, affords a sufficient explanation of an increase of 51 per cent in the ordinary crimes against property.

(*Para* 5).—Major Glasfurd's second reason seems to me to be much more deserving of weight. There can be no doubt that for the last 3 years, and in particular during the year under report, a very great effort has been made to secure correct crime registration. In our efforts to this end our idea has, I believe, been that the *Police* are apt to suppress reports made to them, and to discourage Kotwars from reporting all but the worst cases. We have, I believe, thought but little of the Kotwar and the Malguzar, and have assumed that they would be, as a rule, ready to report, if the Police were only ready to register. Major Glasfurd finds reason to believe that the increase of crime now apparent is the result, not of more honest registration by the Police, but of more accurate reporting by the Malguzar. He holds that the effect of our efforts to secure good reporting has at last extended beyond the Police, and has begun to affect the Kotwar, that the Police, threatened as they have been in regard to the concealment of crime, have communicated their new anxiety to report to the people, and that now for the first time the Kotwar reports all the petty and almost venial crime of the village. If the Deputy Commissioner's surmise is true, and I am almost convinced that it is, the increase in petty crime by which the year has been marked, affords cause for congratulation rather than anxiety, and the old excuse of better reporting may once more be put forward with some claim to attention. I would at all events express my hope that the plea may be fully weighed, and that until it is shown to be baseless, nothing may be done to discourage Police officers in their praiseworthy endeavours after correct crime registration. It is much better that our crime returns should be swollen by many cases such as that instanced by Major Glasfurd in his para. 15, than that the reporting of crime should again be felt by the Malguzar to be discretionary with him, and its registration again become a dreaded duty to the police.

(*Para* 6).—While the explanation of the increase of crime put forward in the preceding para. may be regarded as applicable to the whole Division, the Deputy Commissioners of Wardha and Balaghat are able to point to special local causes in explanation of the increase in their districts. In Wardha there has been a large influx of labourers for the State railway, and in Balaghat the establishment of new Police posts has stimulated crime registration. The Deputy Commissioner is no doubt right in assuming that a new police post augments registered crime, just as a new Court increases Civil suits.

(*Para* 7).—In the report of this Division for 1871, a Table was given showing the percentages of crime to population in each district. In the Table in the margin, the same comparison is made, but it is confined to crimes falling under the heads of theft, house-breaking in order to commit theft, and cattle theft. These three heads appear to afford the best available standard of comparison. Heinous crime is no longer our difficulty in these Provinces, and when the totals of reported offences are put side by side, accurate deductions are rendered impossible by the fact that, owing to special laws and circumstances, the number of offences which are merely *mala prohibita*, *e.g.*, nuisances under Municipal Acts, or which are *quasi* Civil injuries, *e.g.*, assault, differs widely in different Divisions. The inclusion of these offences did much to confer a pre-eminence in crime in last year's statement on Nagpur. According to the standard now adopted† districts stand as follows:—

Districts.	Population.	Total House breaking, thefts ordinary and cattle theft in 1872.	Percentage to population.
Nagpur ...	631,109	1,707	·27
Bhandara	564,818	1,097	·19
Chanda	534,431	1,791	·32
Wardha ...	354,720	785	·22
Balaghat ..	195,008	781	·40
Total	22,80,081	6,061	·26

† Above Table.

Nagpur ... ·27
Bhandara ... ·19
Chanda ... ·32
Wardha ... ·22
Balaghat ... ·40
} percentage of cases of theft simple, cattle theft, and house-breaking for theft, to population,

the result being that Nagpur, Wardha and Bhandara, the districts where population is most dense, are also the districts where crime against property is least frequent.

11. *(Report of the Commissioner, Jabalpur Division, extract paras. 2 to 5.)*

(*Para.* 2.)—* * * The reported offences in 1871 were 10,924 in number, in 1872 they rose to 14,221. The greatest advance was in the Sagar district, the percentage of increase there being 55, whilst in the Damoh district it was 10 only. In that district too the proportion of crime to the population stood lowest. The increase of crime is variously accounted for, but in every district weight is given, and rightly, to the increase of prices. To go more into detail, I find that in the Jabalpur district much of the increase is nominal, having been caused by a correction in the system of registering nuisances. On enquiring into the subject (at the desire of the Judicial Commissioner,) I found that it was the practice to register all offenders caught together as having combined to commit a single offence. The correction of this error has largely increased the apparent number of registered offences and has affected the returns proportionately. Deducting this nominal increase, there remains an increase of 735 offences, 386 of which are under the same head, viz., nuisances. The subject has been specially reported on to the Judicial Commissioner, and it is only necessary to add here that the large return of offences of this class is chiefly caused by the action of the Cantonment authorities at Jabalpur. Deducting this 386 from 735, the balance is 347 only, the largest item in which is composed of petty thefts under Rs. 5. The increase occurred almost entirely during the third quarter of the year, when the price of grain was at its highest, and subsided with a fall in the markets during the fourth quarter. The small increases under other headings do not call for special remark

In the Jabalpur Division.

(*Para.* 3.)—In Sagar the increase of crime has been mainly under the class of offences against property. Of a total increase of 1,330 reported cases, 980 or nearly three-fourths are thus accounted for. This increase has been remarked upon during the year, and no doubt the local authorities are justified in attributing it largely to the increased price of food grains. The low prices of 1871 had reduced crime in a very marked manner, and the rise in prices, which actually doubled the rates of 1871 for wheat in the third quarter of 1872, necessarily had its effect. Still, making every allowance for these facts, I think the rise of prices has been made too much of. When visiting Sagar at the end of last year, I suggested that it should be ascertained what proportion of crime had been committed by old offenders, and Captain Morris has gone into the question very closely. In the 13th paragraph of his report, he gives a Table classifying offences against property, both according to the value and the nature of the property stolen, and also showing the proportion of first convictions. From this return it undoubtedly appears that a large number of the thefts tried at Sagar (269 out of 613) were for sums under Rs. 5, but on the other hand 182 or nearly 30 per cent were for sums above Rs. 20. Again only 65, or little more than one-tenth, were grain thefts. The large entry under "miscellaneous," including tobacco, sugar-cane, firewood, grass, &c. is put down by the Deputy Commissioner to thefts of necessaries of life, and probably most grass and wood thefts might fairly be treated as irregular crime, but tobacco and sugar-cane are luxuries which would be ordinarily stolen from vice and not from want. Again as many as 121 out of 840 persons tried, that is 14·4 per cent, were old offenders. This proportion certainly seems to me high, and I think it probable that if professional offenders had been more closely watched, the roll of crime would have been more satisfactory. It will be seen that there was a decrease during the fourth quarter, which Captain Morris accounts for by the new jawar coming into the market. I note, however, from the Table given opposite para 11 of his report, that even then jawar sold at a higher rate than in any other quarter of the year, therefore it is possible that increased vigilance in administration may have had something to do with the decrease of crime.

(*Para.* 4.)—In Damoh, as has been already observed, the increase in reported crime is comparatively inconsiderable, viz., from 1,536 to 1,718. The curious feature of the return is that the number of cases brought before the Courts has actually decreased. This points to what is admittedly the explanation of part, at any rate, of the increase of crime in Damoh, viz., defective Police action. The subject need not be further discussed here, as matters have now been put right, and cases were less numerous in the latter half of the year, with increased prices, than in the former half. In Seoni the increase of crime is marked. The Deputy Commissioner did not take charge of the district till the end of the year and his report is meagre, but from the figures given in the Police report, there can be no doubt that part of the increase in crime was due to the establishment of new Police posts, which reported the crime of tracts of country before barely recognized in the returns. For the rest high prices

must have had their effect as elsewhere. The case of Mandla is somewhat similar. Reporting had been neglected and even suppressed occasionally; therefore the increase in reported cases from 945 to 1,234 does not represent a corresponding increase of crime.

Para. 5.)—On the whole, the results of the year show that the increase in crime, especially in offences against property, has followed, with some degree of closeness, the rise of prices. In districts, such as Jabalpur, in which the Police administration has been admittedly successful, this increase has been kept down. In Sagar again, where an equal measure of success has not been attained, the increase has been above the average. If instead of reported crimes, the comparison be effected by means of the offences brought to justice, it will be found that there has been no great increase except at Jabalpur. In Damoh and Mandla indeed, there is an actual falling off, and in Sagar the increase does not at all correspond with the advance in reported crime. It has been explained that the Damoh and Mandla results may be accounted for, in the former district by defective Police administration, in the latter perhaps by scrupulousness in reporting. To throw any real light on the subject therefore, the enquiry should be limited to Jabalpur and Sagar. Turning to the remark column of Statement No. I., I find that in Sagar 835 persons have been acquitted or discharged on proof that no offence had been committed, with the result (among others) that while 984 cases of petty offences against the person are entered as tried, the column of offences reported shows a total of 749 only. In Jabalpur on the other hand, only 93 offences were thus struck off, and therefore with nearly an equal number of persons tried for assaults and the like (950), nearly twice as many offences are returned as committed viz., 1,423 against 749. Therefore, as might be expected, the divergence between crimes reported and tried is greater in Jabalpur than in Sagar, but the difference would have been far more marked than it is, had it not been that Jabalpur gains ground in Class III., the proportion of offences against property brought to justice being far larger there than in Sagar. I think it must be admitted that we have some clue here to the causes of the comparative success in dealing with crime, which is shown by the Jabalpur figures. If the power of excision of reported offences had been used as fairly at Jabalpur as at Sagar, this result would have been still more strikingly apparent. * * *

To pass on, however, to other causes which may not have been without weight in producing a difference between the Jabalpur and Sagar returns.

(*i.*) The enquiry which was made during the year into the adequacy of punishments on second convictions seemed to me to bring out the fact that more attention was paid to the antecedents of sentenced offenders in Jabalpur than in other districts of this Division. The Statement given in paragraph 19 below will show that sentences of imprisonment generally in Sagar have been much lighter than in Jabalpur; of the total number of persons imprisoned 32·3 per cent were imprisoned for periods less than 15 days in Sagar, against 14·1 in Jabalpur. On the other hand the percentage of imprisonments not exceeding six months was in Jabalpur 35·3 against 19·9 in Sagar.

(*ii.*) Of all the districts in the Division, Jabalpur has used its power of surveillance over bad characters most, while Sagar has used it less in proportion to its population, than any district but Seoni. The number of offences of this kind taken up at Jabalpur was 52, at Sagar 17 only.

(*iii.*) Possibly too, inadequacy of Jail discipline may be partly answerable for the growth of crime in Sagar. The Jail there is nominally under the charge of the Medical Officer attached to one of the Regiments, who has seldom or never any Jail experience, and who is ofteni imperfectly acquainted with the language of the country, belonging as he does to the Madras Army. These officers too are constantly changed, and at times there is no Military Surgeon available to take the Civil duties, so that the Jailor is much more uncontrolled than in other prisons. On visiting Sagar last year, I found that the distribution of hard labour was extremely capricious, and that discipline was generally bad.

Thus we find at Sagar, as compared with Jabalpur, a lower proportion of offences brought before the Courts, a lower scale of punishment both in the case of old offenders and first convictions, less use of the provisions of the law against bad livelihood, and inferior Jail discipline. Without wishing to lay too much stress on the apparent results of so rough an enquiry as the above, I think it is suggestive.

12 [*Report of the Commissioner, Narbada Division, extract paras 4 and 5*]

(*Para.* 4)—As to "house breaking and house trespass with intent to commit theft," "thefts" and cognate offences, the comparative Statement below shows these for each district. Considerable increase is shown in the totals for all districts except Nimar and even here, though "house-breaking and house-trespass with intent to commit theft" have declined, yet "theft ordinary" and "theft of cattle" are at a higher number than ever.

In the Narbada Division

Districts.	House Trespass or House breaking to commit theft (Sections 451 to 454.)		Theft of cattle		Theft ordinary		Dishonestly receiving stolen property		Total.		Increase	
	1871	1872	1871	1872	1871	1872	1871	1872	1871	1872	No	Per centage
Hoshangabad	422	772	20	101	759	1,668	7	16	1,208	2,557	1 349	111
Narsinghpur...	336	647	64	79	685	1,130	17	13	1 102	1,869	767	69
Nimar ..	560	416	29	68	822	897	19	21	1,430	1,402	..	..
Chhindwara .	112	197	27	37	449	677	3	7	591	918	327	55
Betul ..	261	361	18	14	331	564	2	5	612	944	332	54
	1,691	2,393	158	299	3,046	4,936	48	62	4,943	7,690	2,747	55

Hoshangabad—The Deputy Commissioner shows that 123 cases which in the year 1871 should have been included under 'house trespass with intent to commit theft," were wrongly entered under another heading This would make this year's increase not quite so startling as it seems. The Deputy Commissioner, while acknowledging that there may have been some real increase, also attributes a good deal to better reporting now than in former years, he says too that the Police are still "numerically insufficient' to deal with the petty crime of the district. I note that the Police of the Hoshangabad district have just been considerably strengthened, and as to the reporting in 1871, that subject has been fully dealt with in special correspondence. Looking to the population returns available,* I see that we have now about 5 offences of this description to every thousand persons in the district This seems high, it is not so high, however, as in Narsinghpur and Nimar

*Census of 1866

Narsinghpur—The Deputy Commissioner of Narsinghpur in paras 2 to 4 of his report expatiates on the effect of plentiful and short harvests on this class of crime, and in his marginal Statement opposite his 4th para., tries to account for the increase in offences in the 3rd quarter of the year and their decrease in the 4th quarter by the indifferent spring crop and the abundant rain crop of the lighter grains He has not, I think, satisfactorily solved the question of the total great increase of crime during the year

Nimar—Lieutenant-Colonel Playfair has some sensible remarks on this class of offence in Nimar in paras. 4 to 13 of his report. I have myself no doubt that the large influx of workmen and men seeking or professing to seek work on the Holkar (State) Railway has brought an extra quantity of thieves into the district,—both habitual and casual thieves To grapple with this sort of difficulty in Police administration, the Executive should, I think, be quicker and handier in shifting the force to new points For example if the Dhangaon circle is found to be temporarily over run with bad characters, the Police of the circle might be strengthened at the expense of other circles, not so situated In regard to these offences in this district, they are certainly now at a very high figure They were committed last year in a proportion of no less than 7 to every thousand of the population But Nimar is very unfavourably situated in this respect, being so much dove-tailed into H H Holkar's territory, and being the scene of exceptionally constant movements of population.

Chhindwara—The Deputy Commissioner of this district gives no useful remarks on the subject His increase in these offences is large, he speaks of former complaints against the Police of "suppression" of reports of crime, and concludes that systematic conceal-

ment of crime has not even now been "completely eradicated." But such allegations should not be lightly made; neither should they be made merely incidentally, in a periodical report. I think that if the Deputy Commissioner believes this concealment of crime to exist, he should take up the question thoroughly and report the results. I have addressed him in this sense. The Deputy Commissioner's statement below para. 5 of his report is very incorrect in its figures, and it is perhaps to be inferred that, when he wrote on this part of the subject, he did not realize how large his real increase was in this class of offences.

Betul.—The increase in Betul is attributed by the Deputy Commissioner to "rise in the price of food grain," and to the year 1871 having been one of exceptional plenty.

(Para 5).—On the whole it must, I think, be admitted that the general apparent increase in this class of offence forms a very unpleasant component in this year's returns. I doubt whether the season can account for much of it; and as to better reporting now, if that is so, well: but then we must not forget to withdraw some of our satisfaction expressed at results of years before. But speaking generally, and referring to thefts, &c., really reported to the Police, I believe I am right in saying that there is no such thing as systematic concealment of crime; and on the whole I should look upon the increase apparent this year, for the most part, as a real increase. Doubtless the thefts and house-breakings were most of them petty; still they were not petty enough for the sufferers to be silent about them. On the one hand it is satisfactory to find people coming forward freely to state their wrongs; on the other hand it is unsatisfactory to see these wrongs so numerous; and I don't think we can rest entirely satisfied with this year's increase.

13. [*Report of the Commissioner, Chhattisgarh Division, paras 4 and 5.*]

In the Chhattisgarh Division.

(*Para.* 4.)—The first point for consideration is, do the figures represent with fair accuracy the crime committed during the year. My opinion is that they do not, and I will state briefly my reasons for so thinking:—

(*i*). The population of the Khalsa tracts and the Non-Feudatory Zamindaries is over 2¼ millions of souls, and it seems incredible that among that population there should have been but 13 cases of grievous hurt, 5 of rape, and 4 of robbery during 1872.

(*ii*). In the Non-Feudatory Zamindaries there is hardly a pretence made of reporting any but heinous offences, and some of these Zamindaries are as wealthy and as well peopled as are the Khalsa tracts.

(*iii*). In Raipur and Bilaspur the rule requiring each Khalsa village to have a Kotwar of its own has been disregarded, and in proportion to that disregard has probably been the inefficiency in reporting. On this point the Deputy Commissioner of Raipur remarks:—"The reporting is unquestionably, as it always has been, very bad. "The Kotwars are among the most wretched of men. * * * * "They often have to report for several villages, which are in many cases a good way "apart, and it is for many of them a weary long trudge through the jungles to the Thana." There can be no question, in my opinion, that each Khalsa village in Raipur and Bilaspur is bound to maintain a Kotwar of its own, and the Deputy Commissioners will be addressed with a view to the obligation being enforced.

(*iv*). In Sambalpur each Khalsa village is provided with a Jhankar, who corresponds almost exactly to the Bhumak of the Chanda country; but that the reporting was unsatisfactory may be gathered from the fact that the arrest of two persons during the year brought to light no less than 38 thefts which had not been reported, and which, but for the arrest, would not have appeared on the returns.

(*v*). In addition to omissions from negligence we have instances of crime purposely concealed by those bound to report it.

Thus in Raipur a case of murder is now before the Magistrate, which in 1872 was reported by the Police officer, who made the enquiry and knew the truth, to be a case of accidental death.

In Bilaspur a Chief Constable is shown to have concealed various offences during 1872, from corrupt motives.

And in Sambalpur the following circumstances were discovered in the year under review. A well-to-do trader, agent of a Calcutta firm, resided in the Phuljhar Zamindari, not far from the Raipur and Sambalpur high-road. In 1870 his mistress offered a reward for his death, conspired for weeks to bring it about, eventually succeeded in getting him murdered, and then took possession of his property. The crime was reported to the head of the Phuljhar Police, who took part with the woman and her accomplices, and it was not until two years afterwards that the murder came to the knowledge of the Deputy Commissioner, and then only through the exertions of two friends of the deceased.

Looking then at these facts, we can hardly say that crime, as yet, is fully reported in this Division.

(*Para.* 5).—But although the reporting of crime is as yet defective, the defect runs through the figures of previous years and affects all three districts, so that for purposes of comparison the returns remain relatively correct.

The year was a prosperous one all over the Division, food was abundant and cheap, and no special causes existed for the prevalence of any particular form of crime.

* * * *

In house-breaking and house trespass to commit theft there was a decrease in each district, but it is remarkable that the cases in Bilaspur were more than double those in Raipur, and more than four-fold those in Sambalpur, or to put it in another way, out of 870 cases reported in the Division, 521 belonged to Bilaspur Either house-breaking is much more common in Bilaspur than in Raipur and Sambalpur, or the manner of recording this offence is not the same in the three districts, and the latter explanation is, I think, the true one. Mr. Logan, writing for the Deputy Commissioner of Sambalpur, has some remarks on this head, and it is evident from what he says that many cases have been shown in Sambalpur as ordinary thefts, which were really cases of house-breaking and house-trespass to commit theft. The distinction between the two classes of offences, however, is quite clear, and the attention of the Deputy Commissioners will be drawn to the importance of maintaining it.

Ordinary theft shows a decrease of 17 per cent in Raipur, and an increase of 19 per cent and 37 per cent in Bilaspur and Sambalpur respectively, but in order to draw a true comparison between the two years and the three districts, it will be necessary, for the reasons stated above, to take ordinary theft in conjunction with house-breaking and house-trespass to commit theft. Massed together, these offences stand as shown below:—

		1871	1872	Increase.	Decrease.
Raipur	...	1,068	910	...	158
Bilaspur	..	959	981	22	..
Sambalpur	...	572	640	68	..
Total	..	2,599	2,531	...	68

The decrease in Raipur was considerable, being nearly 15 per cent, but it is not clear whether this diminution was real, or was due to a falling off in the reporting by Kotwars, which is said to have been specially watched in 1871. In Bilaspur there was an increase, small in itself, but of consequence, for the total number of offences was 8 per cent more than in Raipur, which has nearly double the population of Bilaspur. In Sambalpur there was an increase of over 11 per cent. In last year's report a decrease then shown was attributed to the Gandas having taken to smuggling, but during the year under review smuggling did not diminish, yet reports of theft increased. The total number recorded however was not excessive, and I am inclined to agree with Mr. Logan in thinking that the increase exhibited may be due rather to better Police action than to actual increase in crime.

In thefts of cattle reported there was a decrease of 13 per cent, the decrease being chiefly in Raipur. When a cow or buffaloe disappears from a herd, the owner seldom knows at the time to what cause the loss may be owing, and it is only after the missing animal has been traced and recovered that he can say with certainty that it strayed or was stolen, consequently the cases reported are usually those in which the cattle were recovered, and bear no known proportion to the actual number of thefts,

14. The Judicial Commissioner will not add to these observations by Commissioners on the increase during the year of offences against property, more especially as the subject is placed fully before the Chief Commissioner in the Annual Police Departmental Report.

Judicial Commissioner's remarks,—Kotwars.

With reference, however, to the remarks of the Commissioner of the Chhattisgarh Division as to enforcing the appointment of a Kotwar for every village, the Judicial Commissioner cannot refrain from expressing a hope that any alteration in the status of Kotwars may be disallowed. The preservation of this indigenous agency was duly guarded at the Settlement.* But there is a constant tendency to *improve* it into something else The Deputy Commissioner of Raipur, coming from the North-Western Provinces where it has long been turned into a village Police, proposes that here too the Kotwars should be armed and uniformed; and injunctions against interfering with the status of Kotwars seem periodically necessary.

*Settlement Code, Appendix B

The local reports however suggest brief reference here to a few special heads of cognizable crime.

15. The number of reported nuisances under Police, Municipal, and Cantonment Acts, has increased from 1,525 in 1871 to 3,217 in 1872. But, as explained above by the Commissioner of the Jabalpur Division, much of this difference is due only to a change in the method of registering such offences. There has been no change, however, in the registration of persons prosecuted, and the increase in their number from 2,744 to 3,778 indicates a real increase of 38 per cent in prosecutions under this head. Large increases occurred in the following Districts :—

Nuisances under Police or Municipal Acts.

Districts.	No. of persons prosecuted in 1871.	No. of persons prosecuted in 1872.
Chanda ...	92	229
Wardha ...	134	204
Jabalpur ..	916	1,312
Damoh ...	1	172
Narsingpur ..	62	134
Chhindwara ...	57	118
Raipur ...	109	280

The prosecutions in Damoh may partly represent the reaction of a too great unwillingness previously to prosecute, and the following are noted as districts in which, even during 1872, prosecutions were but few, viz., Seoni (18 persons) Mandla (2) Sambalpur (7) and Bilaspur (17). But for the large increases noted in other districts, and especially for the increase in Jabalpur, similar explanation does not suggest itself. The prosecutions in the Jabalpur District (1,312) were more than a third of the total prosecutions in the Provinces, and contrast strikingly with the next largest numbers, 319 and 304, in the Nagpur and Sagar districts respectively; both of which, like Jabalpur, include large Military Cantonments. The Deputy Commissioner of Jabalpur writes :—

(*Para.* 4.) "The increase in the prosecutions for nuisances (I have already explained that these are not so great as the figures would indicate) took place in the Jabalpur Cantonment. Frequent prosecutions are perhaps necessary to secure cleanliness, and people who find it their interest to live within Cantonment limits, possibly make up their minds to be strictly looked after in this particular, still I am inclined to think that the administration is perhaps a little too vigorous. The punishments however were generally very light; in some cases little more than nominal."

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The Commissioner of the Chhattisgarh Division in para. 16 of his report also observes in reference to the Raipur return,—

"280 persons were prosecuted for breaches of Municipal rules in the town of Raipur alone. There was a good deal of grumbling among the towns people on the subject, and I think that conservancy might have been carried out equally well with fewer prosecutions, still the object obtained was worth gaining, for the town was kept beautifully clean."

The Judicial Commissioner also during his tour was appealed to on account of the indiscriminate rigour with which conservancy had sometimes been enforced. In order to effect permanent improvement in Municipal sanitation, it is probably essential that the local authorities should carry the people with them, and if so, then the enforcement of conservancy rules in such a manner as to create real discontent must be useless as well as impolitic. Very frequent prosecutions for the breach of such rules ought not to be necessary. The lightness of the punishment is no measure of the popular sense of administrative pressure. The people are on the whole obediently inclined in respect of sanitary orders of a practical and reasonable kind. But they resent orders which cannot be complied with without sudden and material personal inconvenience. At Narsinghpur, shortly previous to the Judicial Commissioner's visit, the outlets for waste water from the houses in the town had been summarily stopped up, without any alternative provision for the disposal of the waste water being devised. Household economics were suddenly put out of gear; ablutions were difficult; the females of families were particularly inconvenienced; discontent naturally prevailed. And there is reason to believe that where prosecutions are very frequent, they are to some extent grounded on unreasonable administrative action. Popular compliance with reasonable demands is attainable by a comparatively small number of criminal prosecutions added to ordinary mandates, and where prosecutions continue very frequent, as at Jabalpur,* there is presumably something wrong.

	Persons prosecuted.
1869	354
1870 ...	384
1871 ..	916
1872 ...	1,312

16. The number of nuisances under the Indian Penal Code (286) is much the same as last year. One class of offence under this head is thus noticed by the Deputy Commissioner of Damoh:—

Nuisances under the Penal Code.

(*Para.* 5)—"Nine cases of nuisances have been dealt with under the Penal Code. This includes two prosecutions for selling rotten grain. There had arisen a custom in this district, upheld by people who would hardly be suspected of such dealings, of forcing the grain, which, in the wretched granaries in use, year by year turns bad in great quantities, on the poorest and most indebted of their ryots, and these gave the grain to their helot labourers. Then by mixing this poisonous stuff with large proportions of better grain, these latter were able, without incurring more than slight suffering and diarrhœa, to consume it once in two or three days. I have but little doubt that the cholera which broke out in one part of the district in July was partly due to this cause. As soon as I knew the extent of the evil custom, I took such precautions as I judged expedient to make the law, and my firm determination to carry out the law, well known to the people, but at the same time invited them to have publicly buried, in the presence of neighbouring Malguzars, such grain as was rendered unfit for food. They complied with this with much readiness, as by acting thus publicly, they forestalled any complaints against themselves, and put it out of the power of their debtors afterwards in the Civil Courts to raise a plea that the grain borrowed was rotten grain forced on them by their necessities. I have reason to state a belief that the public recognized that it was my duty to stop the practice, and that I have effected this without needless and vexatious inquiries into the past, and with a minimum of harshness and trouble to them."

17. Under the head of "rioting or unlawful assembly" of which 25 offences are returned, one serious case is thus referred to in the following extract from the Chhattisgarh Division report,

Rioting or unlawful assembly.

(Para 16) * * * "A party of the men of the wing of the 31st Regiment, Madras Native Infantry, stationed at Sambalpur, marched into the town headed by the Havildar-major with the intention of revenging themselves upon one of the towns-people. They fortunately failed to find the object of their search, and through the energy and pluck of Mr. Logan, the Assistant Commissioner, 47 of the rioters, including the Havildar-major were captured and convicted."

18. The Deputy Commissioner of Hoshangabad remarks on a practice in his district of influential Zamindars causing the unwilling attendance of their ryots and others indebted to them, resulting in several prosecutions during the year for wrongful restraint and wrongful confinement.

Wrongful restrains and confinement.

19. Under the heading Criminal breach of trust there were several prosecutions of public servants. Some of these are noticed in the reports for the Chhattisgarh Division, and the Upper Godavari and Chhindwara districts. Cases of this kind are the more to be regretted as they are often such as would not occur, if the offender's responsible superiors had maintained a proper system of supervison and control.

Criminal breach of trust.

20. Under the headings "vagrancy" and "bad habit and repute," 335 offences, *i. e.* prosecutions, are returned as compared with 140 in 1871. The greater number of these cases occurred in the Narsinghpur, Jabalpur, Wardha and Hoshangabad districts, *viz.* 69, 52, 45, and 38, respectively. The following extracts regarding the figures for these districts are taken from the Local reports:—

Vagrancy and bad habit and repute.

(Narsinghpur District Report, Para 9.)

"The raid against persons of known bad character, inaugurated by myself in January 1872 against the Chhindwara badmashes, and which has been so successfully and persistently maintained ever since, has borne and must bear excellent fruit in the diminution of crime, which will be more evident as time goes on. Nearly all these gentry in the district have now been accounted for, or have left for more peaceful pastures, while the few still in the district are on their best behaviour, and deport themselves in a becoming and proper manner. I have had ample evidence of this in all parts of the district, and the satisfaction expressed by the honest and peaceful inhabitants has been unbounded."

(Jabalpur District Report, para 4 and 13.)

"The Police brought up 52 persons against 13 in the previous year for bad livelihood. The action of the Police in this class of cases was good and thorough. The direct cause of the increase in the number of these cases brought up for disposal will be found in the fact that for the first time the Police have defrayed the expenses of witnesses. The District Superintendent of Police has informed me that, after making this arrangement, he found that good evidence was easily procurable."

(13.) * * "The Police now seem to understand what is required to secure convictions for these offences. The result of their action during the year shows that they are much stronger in this respect than formerly."

(Hoshangabad District Report, para 14.)

Despite of the apparent increase of crime shown above, the measures taken in 1871 and 1872 against bad characters are being crowned with signal results. Where action has been successfully taken in localities noted for crime, it has in those (so to speak) almost entirely ceased. This also will have to be alluded to in the Police report, but I can triumphantly point to places, notably Babai, Sangakhera, Raipur,

Sohagpur, Seoni, and Harda, where the action taken against bad characters has had the result described Under the new Procedure Code the Magistrate has more power than before. I could with difficulty believe that any Magistrate of a District will misuse the power, I contend with all deference that the District Superintendent of Police and the Magistrate alone can really be the Judges when to exercise the powers. The latter would always have to guard against the natural desire of the Police rather to over-do it, but both can only have one common object, the protection of the people, by using the power vested in the Magistrate by the Law to repress crime."

(Narbada Division Report, paras 5 and 9)

There is a matter that does not even now receive nearly as much attention as it should, that is prosecutions under Vagrancy Act and Bad livelihood The Reports of the Deputy Commissioners of Hoshangabad Narsinghpur and Nimar show that these officers think of this matter. Colonel Playfair and Captain Plowden will be sure to attend to it properly during the year The Deputy Commissioner of Hoshangabad does not show as many prosecutions as I should have expected. I have no doubt, however, that what there were well selected, as he says. These prosecutions were not nearly numerous enough in Nimar, Chhindwara and Betul during the year under report The present Criminal Procedure Act, as was said last year, gives greater powers to the Magistracy in this particular of Judicial and Police Administration, and much should be capable of being done by systematic action taken by the head of the district and the District Superintendent of Police in consultation with each other"

(9.)—Police action apparently not so satisfactory is shown in regard to detection of thieves and house breakers. The table below seems to show that in Narsinghpur

	Hoshangabad		Narsinghpur		Nimar		Chhindwara		Betul		Total.	
	Offences reported	Cases brought to trial	Offences reported.	Cases brought to trial	Offences reported	Cases brought to trial	Offences reported	Cases brought to trial	Offences reported.	Cases brought to trial	Offences reported.	Cases brought to trial
CLASS III 111, 113, 114 to 116 Theft of all sorts .	2.561	642	1,802	751	1,399	483	922	294	946	306	7,690	2,476

alone have fairly successful efforts been made to catch this class of criminals In this district the proportion of cases brought to trial to 'offences reported' is 40·3, in Nimar it is 34·5, in Betul and Chhindwara 32, and in Hoshangabad it is as bad as 12·5. It is noticeable that the district having the best proportion, has also the largest number of prosecutions under vagrancy and bad livlihood In Hoshangabad, however, these prosecutions were more numerous than in any district except Narsinghpur, and were, as I have before said, probably well selected prosecutions too It is not pretended that prosecuting bad characters is the one secret for stopping thefts. It is one important means however to that end, and although it is apparently so recognized by all executive authorities, it has been none the less again practically neglected in at least two of these five districts."

On this subject the Judicial Commissioner observes that the law authorizing Magistrates to require security for good behaviour and to imprison in default thereof may be good and necessary looking to the weakness of the rural Police as compared with the extent of their local jurisdiction But it is worked spasmodically. In a district like Narsinghpur there should be no occasion for raids against the bad characters, and the Chief Commissioner knows how in the town of Chhindwara in that district, the raid referred to by the Deputy Commissioner

was undertaken in a kind of panic, induced by an ill-judged Police report, whose sensational character was exposed by the Inspector General of Police himself. And the remark in the Jabalpur District Report on the success of the Police there in procuring evidence by paying the witnesses, especially when taken in connection with the known difficulty of getting respectable persons to give evidence of bad character, is unpleasantly suggestive. The unsatisfactory way in which the law on this subject is brought into force is further evidenced by the circumstance that in some districts* prosecutions are almost entirely for vagrancy without ostensible means of livelihood, (Sec. 295, Code of Criminal Procedure), and in others almost entirely for "bad habit and repute," (Sections 296, 297, Code of Criminal Procedure). No satisfactory explanation has been given of this. One Deputy Commissioner for instance, (Wardha) explains that "the Police "brought in more cases of vagrancy "than of bad habit and repute, as "the latter are usually difficult to "prove." On the other hand another Deputy Commissioner (Narsinghpur) writes:—"The reason of the disproportion of cases taken up under Section 295 is, "I think, pretty obvious. Very few persons do lurk about without ostensible "means of subsistence and unable to give a plausible account of themselves. "Vagrants of this sort, when they do enter a district, generally move about "from place to place so quickly that they do not give the Police of any one place "opportunities of continued observation, and they have generally no outward "marks or garb of vagrancy by which they can at once be distinguished from "ordinary travellers, or labouring people in search of employ, and if they had, it "would generally be out of the question to detain them until the Police became "able to prove that the account they would give of themselves was false."

*Districts.	Number of persons prosecuted for	
	Vagrancy without ostensible means of livlihood	Bad habit and repute.
Chanda ..	19	0
Bhandara ..	10	0
Wardha ..	49	2
Jabalpur	49	5
Sagar ..	1	18
Damoh	0	18
Mandla ..	1	14
Hoshangabad ..	1	39
Betul ..	17	0
Narsinghpur ..	1	64

On the whole it is impossible to feel satisfied with the way in which prosecutions for vagrancy and bad habit or repute are instituted.

Breaches of salt law.

21. There were 435 prosecutions under the salt law as compared with 452 in 1871. The following extracts from the local reports claim attention :—

(*Sambalpur District Report, para.* 17.) * * "It cannot be too constantly remembered that in many cases smuggling is only resorted to because, in consequence of customs rules, there is an actual famine as regards salt, and in spite of the large quantities undoubtedly smuggled, I have seen salt at Rs. 10 and even Rs. 12 per maund during the past year."

(*Chhattisgarh Division Report, para.* 16) * * "It cannot be too often repeated that what the people feel is not the duty on salt, but the system under which it is levied, a system which, wholly unsuited to the geographical position and the natural features of the country, renders the possession of the vend of salt a matter of difficulty, anxiety and danger over nearly 7,000 square miles of this division. The decrease in the prosecutions in Raipur is due to the importation of Bombay salt *via* Nagpur, but the salt is inferior to the East Coast salt, the trade in which is withering away under the action of the customs line."

The Judicial Commissioner himself heard many complaints of the effect of the preventive Customs line between Sagar and the Narbada, although so far as he could judge the conduct and discipline of the Customs officials was good.

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22. Of the 226 prosecutions under the Forest law, 44 occurred in the Bilaspur district, 38 in Damoh, and 26 each in Betul and Upper Godavari. Regarding the Bilaspur cases the Commissioner of the Chhattisgarh Division writes :—

Breaches of Forest law

(*Para.* 16) * * * "The Deputy Commissioner remarks 'some Malguzars declined to commute for the annual supply of fuel and grass that was required by them and their tenants. The reason assigned was that they did not intend resorting to the Government unreserved forests, but would get the supply from the Zamindari forests. They were watched and very shortly afterwards were caught trespassing.' The action taken appears to me unduly harsh, and I trust that the instructions contained in Secretary to Chief Commissioner's Circular No. 4 of 1873 will ensure more consideration in future."

Non-cognizable offences.

23. The offences reported during 1871 and 1872, under some of the principal heads of non-cognizable crime are compared in the following Table :—

Description of offence	No. of offences reported during	
	1871.	1872
Making, using, or possessing false weights or measures ...	103	104
Omitting to give information of offence, or giving false information	223	146
Taking valuable thing by, or to influence, public servant ...	43	41
Giving or fabricating false evidence ...	58	52
False charge of offence	43	17
Forgery or fraudulently using or possessing forged document ...	40	16
Affray	152	187
Enticing a woman with criminal intent ...	211	155
Adultery	137	105
Hurt	746	425
Assault or use of criminal force ...	7,685	8,090
Criminal intimidation or insult ...	1,191	1,024
Defamation	467	335
Extortion	111	88
Dishonest misappropriation of property ...	260	216
Cheating	243	228
Mischief ordinary	277	220
Cattle trespass	284	324
Offences against the Income Tax Act ...	84	...

A general decrease of these non-cognizable offences, except in assault, affray, and cattle trespass, is observable. Perhaps remembering the extent and population of the Provinces, a feature in the above abstract is the very small number of offences returned against several of the headings. The entire absence of any prosecutions during 1872 under the Income Tax Act will be noticed with satisfaction.

24. In respect of offences relating to false weights and measures, the only point to be noted seem the entire absence of such offences from the returns for the Hoshangabad, Bhandara and Damoh districts.

Offences relating to weights and measures

Omitting to give, or giving false information

25. It is not known for certain how many of the 146 offences under the heading "omitting to give information of offence, or giving false information" were respectively offences of omitting to give information, and of giving false information, but the figure does not probably include many offences of giving false information for, while such offences [speaking generally and with exception to prosecutions under Section 203, the Indian Penal Code] cannot under the Code of Criminal Procedure be "entertained in any Criminal Court except with the sanction or on the complaint, of the Court or public servant concerned,' officers have been cautioned against frequent sanction or institution of complaints of the kind, especially in respect of alleged false informations to Police Officers, for the effect of such prosecutions, if at all numerous, would certainly be to make timorous people backward in reporting actual crime Still, even if the greater number of these 146 offences be taken as omissions to give information, it seems probable that the number distributed as it is very generally over all districts, would not correctly represent the actual number of such omissions Possibly doubt as to how far the old Bengal Regulations regarding the duty of landholders in the matter of reporting crime had legal force in these Provinces, may have induced some hesitation in instituting prosecutions for omission to report crime The law on the subject has now been made clear by the new Code of Criminal Procedure

Illegal gratification

26. The 41 offences of taking valuable thing by, or to influence public servant include also abetments of such offences by the offer of illegal gratifications Officers, however, have not been careful to note, as required, the number of abetments in the offence returns, and the proportion of the above 41 cases in which the offence alleged was the acceptance of a bribe is not known An important case of abetting the acceptance of illegal gratification is thus noticed in the report of the Deputy Commissioner of Nimar :—

> *Para 34.*—' In one case Mr Hastings a Railway Contractor offered Mr Johnstone, Assistant Engineer, Rs 10,000 to certify to certain rates By order of the Government of India, Mr Johnstone was directed to prosecute, and a warrant issued from Captain Scott's Court —Mr Hastings was arrested and taken before the High Court of Bombay on a writ of *habeas corpus* and there released by the sitting Judge in consequence of informality in the Magistrate's warrant On the issue of a second warrant it was returned by the Commissioner of Police, Bombay, unserved the accused Mr Hastings having absconded"

The Deputy Commissioner of Narsinghpur also in his para 25, notices the case of the Kanungo of the Narsinghpur Tahsil, who was convicted of receiving money to exempt persons from Pandhri assessment The Commissioner of the Chhattisgarh Division, in his remarks, under this offence heading, observes —

> *Para 16* — In my opinion prosecutions for giving illegal gratification should only be allowed under exceptional circumstances, for to impress upon those who have given bribes that to disclose what they have done will entail their own punishment is to ensure impunity to corruption '

The exceptional circumstances under which bribers should be prosecuted would of course include cases in which the offered bribe had not been accepted, and cases in which acceptance was not discovered with the donor's help, or the donor's aid was not required to establish the offence

False evidence

27 The return of 52 offences of giving or fabricating false evidence represents those offences only, the entertainment of which in the Criminal Courts was sanctioned by the Court before which the false evidence was given The number is small, but prosecutions were only sanctioned in selected cases. In some places the prosecutions for this offence should probably have been more numerous

Affray

28. Of the 187 affrays, 44 are returned by the Jabalpur district, and 25 by the Hoshangabad district Difference in the relative returns of this offence are largely affected by the extent to which the Courts, in cases where cross complaints of assault are filed, elect to

proceed against both parties for affray. In some districts this procedure is more common than in others.

Enticing a woman with Criminal intent.

29. Forty two of the 155 offences of "enticing a woman with criminal intent" are returned by the Jabalpur district. As the same district only returns 9 offences of adultery, it seems probable that the old irregularity of dealing with complaints of adultery as if of "enticing with criminal intent," in order to avoid the necessity of commitment to the Court of Session, has again been reverted to by the Jabalpur Magistrates. Adherence to correct practice in future has been enjoined.

Hurt and assault.

30. The striking disproportion between the number of offences returned as "Hurt" (425), and "Assault or use of criminal force" (8,090), is the result of similar irregularity of procedure. "Whoever causes bodily pain * * to any person is said to cause hurt," but as the punishment for the minor offence of "assault or use of criminal force" extends to three months, it has been usual to deal with complaints as for assault rather than for hurt, when the case has seemed one not calling for more punishment than that awardable for assault. The Courts were thus enabled to deal sufficiently with the merits of the case and, at the same time to avoid preparation of the full record of evidence which has hitherto been necessary in trials for "hurt." But as under the new Code of Criminal Procedure (Section 333), a memorandum of the evidence will now suffice in trials for hurt held by Magistrates of the 1st and 2nd Class, it may be expected that a larger proportion of cases will be registered in future as of hurt.

Criminal intimidation or insult

31. Criminal intimidation or insult is another offence regarding the frequency of whose occurrence the return of 1,024 offences affords no real index. Thus while Bhandara returns 192 offences under this head, the adjoining districts of Chanda and Balaghat return only 6 and 1 respectively. Similarly while Sagar returns 135 such offences, Damoh and Seoni return only 11 and 2 respectively. And while the Nagpur district returns 236 offences, the whole Narbada Division only returns 189. Here too Magistrates have dealt with complaints of insult and assault, as for assault only, for the same reason as that which has influenced them in assault and hurt cases. It has not yet been decided whether the provisions of Section 333, Code of Criminal Procedure, permitting evidence to be recorded in the form of a memorandum apply to cases of insult. Section 222 (10) Code of Criminal Procedure is defective on this head.

Extortion.

32. The return of only 88 offences of extortion seems small. But under Section 390, Indian Penal Code, extortion sometimes appears as robbery. Of the whole 88 offences, 20 are returned by the Jabalpur district, 13 by Seoni, and 10 by Upper Godavari. The Sagar, Hoshangabad and Chhindwara Statements under this head are blank.

Cheating.

33. The number of offences of cheating (228) is small. The large number of such offences in the Nagpur, Jabalpur and Raipur districts [34, 29 and 23 respectively] accord with what might be expected at the larger centres, but no explanation suggests itself why, next to the above districts, the largest number (21) of these offences should have occurred in Mandla, nor why the number of such cases in the Nagpur district should equal the total number in all five districts of the Narbada Division. The Commissioner of the Chhattisgarh Division thus notices one remarkable case :—

(*Para. 16*). * * * "A native of good address from Upper India came during the year to the Sambalpur district, and obtained considerable amounts by writing what he represented to be English memorials. But after a time it was discovered that the writing in the memorials was mere scribble, completely without meaning, and intended only to impose upon those who did not know English. Probably both the

Chief Commissioner and the Judicial Commissioner have spent some minutes in trying to decipher this man's productions, and will not be sorry to hear that he has met with his deserts"

Cattle Trespass.

34 Of the 324 offences against the Cattle Trespass Act, 67 are returned for the Damoh district, the next highest figure being 36 for Chanda. The Deputy Commissioner of Damoh writes—

(Para 7) "These are nearly all for releasing cattle on the way to the pound and very few for groundless impounding"

No complaints, however, of the latter kind are returnable as "offences against the Cattle Trespass Act," and this has been pointed out to the Magistracy.

C.—The distribution of business among the several classes of Courts.

In Magistrates' Courts

35. Statement B3 shows that 47,142 accused persons were dealt with by the Magistrates in the following proportions :—

By Magistrates of Districts.. .. 2,300 or 4·9 per cent.
Other stipendiary Magistrates ... 28,643 or 60·7 per cent.
Honorary Magistrates ... 16,199 or 34·4 per cent.

Further details for each district are given in the following Table :—

Districts	Persons disposed of by						
	Deputy Commissioners	Cantonment Magistrates, Assistant and Extra Assistant Commissioners, at District Head quarters	Tahsildars at District Head-quarters	Honorary Magistrates at District Head quarters.	Stipendiary Magistrates in the interior of Districts	Honorary Magistrates in the interior of Districts.	Total
Nagpur	21	619	282	1,530	999	1,780	5,231
Chanda .. .	91	774	..	..	1,225	14	2,104
Bhandara	110	484	22	939	671	212	2,438
Wardha	86	539	104	..	453	1,049	2,231
Balaghat	146	404	306	.	104	..	960
Jabalpur	219	2,762	641	762	333	557	5,274
Sagar	126	1,044	410	911	777	1,186	4,454
Damoh	176	190	351	402	200	..	1,319
Seoni	101	289	499	522	650	688	2,749
Mandla	162	293	130	37	181	87	890
Hoshangabad	119	1,109	174	206	859	1,633	4,100
Betul	110	160	687	108	314	..	1,379
Narsinghpur	215	904	314	304	433	1,105	3 275
Nimar	77	901	236	198	495	670	2,577
Chhindwara	112	320	431	..	237	245	1,345
Raipur	74	1,052	57	216	829	616	2,844
Sambalpur	55	936	178	..	280	..	1,449
Bilaspur	147	466	230	..	758	228	1,829
Godavari	153	306	..	..	235	..	694
Total 1872	2,300	13,552	5,052	6,135	10,033	1,0070	47,112
Percentage .. „	4 9	28 7	10 7	13	21·3	21 4	100
Total 1871	2,196	12,669	5,257	6,558	10,560	7,687	4,4927
Percentage ... „	5	28 2	11 7	14 6	28 5	17	100

The chief general points to be noticed are that the proportion of Magisterial business disposed of at Distrtict Head-quarters has decreased from 59·5 in 1871 to 57·3 per cent in 1872, and that this decrease has occurred in the business taken by Tahsildars and Honorary Magistrates at District Head-quarters, the proportion taken by the higher stipendiary Magistrates (other than Deputy Commissioners) having increased a little. On the other hand the business taken by Honorary Magistrates in the interior of districts has increased from 17 to 21·4 per cent. Speaking generally, the higher stipendiary Magistrates at District Head-quarters take the more important business, so the increase in the proportion of this business taken by such Magistrates, and the wider distribution of other business, seem alike to be changes in the right direction.

Magisterial business taken by Magistrates of Districts.

36. In last year's report the importance of Magistrates of Districts taking a larger share of Magisterial duty was prominently noted, the chief reason being to ensure adequate punishments in heinous cases, and also that Magistrates of Districts might maintain a practical insight into the working of the Police of their Districts, and into Criminal procedure generally. The Judicial Commissioner also addressed Commissioners of Division last year in the above sense, claiming their assistance as judges of the relative strain of Judicial and Administrative work on Deputy Commissioners, in bringing about such reform as might be practicable. Still it appears from the above Table that there has been no general change in the proportion of accused persons disposed of by Magistrates of Districts. In certain districts there has been improvement, *e. g.* in Hoshangabad where the Deputy Commissioner during 1871 did exceptionally little Magisterial duty, and also in Narsinghpur and Damoh. But, considering that the figures in the above Table include a large proportion of persons discharged at instance of Police, the proportion of Magisterial duty taken by Magistrates of Districts seems to have been frequently smaller than it should be, for instance in Nagpur, Chanda, Wardha, Nimar, Raipur and Sambalpur, but especially in Nagpur. The Deputy Commissioner of Nagpur, in paras. 31 to 35 of his report, mentions certain causes which prevented his taking much Magisterial work, but under any circumstances the proportion he did take seems too small. The Commissioner of the Chhattisgarh Division in respect of Raipur and Sambalpur writes :—

> (*Para.* 14.) * * * " My own observation is that in these districts the Deputy Commissioners allowed their special duties of control as Judges to devolve in too many instances upon the subordinate Magistracy, and that the Criminal Administration suffered in consequence. The reasons offered in the District reports are insufficient."

In the Sagar district reports [para. 34] it is observed that "since the "remarks made by the Chief Commissioner in his review of the Criminal report "last year * * * the Deputy Commissioner has taken up all full power Magis-"trates' cases in two of the Tahsils of the District." As the total proportion of persons disposed of by the Deputy Commissioner of Sagar was considerably less than the provincial average, it seems possible that the Deputy Commissioner omitted to arrange to take up any cases of the other two Tahsils of the District.

Business taken by Honorary Magistrates.

37. Rather more than a third of the total Magisterial business of the year was performed by Honorary Magistrates. The proportion of work taken by these gentlemen increased last year to 34·4 per cent as compared with 31·6 per cent in 1871. It is satisfactory to note that the increase of business performed by Honorary Magistrates occurred chiefly in the interior of districts, where additional working Magistrates are most wanted, but the above Table (para. 35) illustrates the want of such agency still in the interior of the Chanda, Bhandara, Balaghat, Jabalpur, Damoh, Mandla, Betul, Sambalpur and Upper Godavari Districts. The districts in which the largest proportion of Magisterial business was taken by Honorary Magistrates in the interior of the District are Wardha (47 per cent), Hoshangabad (40 per cent), Nagpur (34 per cent), Narsinghpur (34 per cent), Sagar (27 per cent),

Nimar (26 per cent), Seoni (25 per cent) and Raipur (22 per cent). While the trouble these scattered Magistrates save to those complainants and witnesses whose cases are disposed of in their Courts instead of the more distant Courts of stipendiary Magistrates is self-evident, the popular appreciation of their services is indicated by the general resort of the people to their Courts where they exist, for, in the allotment of Magisterial business, it is always left optional to the people to lay their complaints before the Honorary Magistrates, or to bring them before stipendiary Magistrates, as they themselves think best. While thus giving prominence to the special public services of Honorary Magistrates in the interior of certain districts, the Judicial Commissioner does not overlook the large amount of business done by Honorary Magistrates at District Head-quarters in Nagpur, Bhandara, Sagar, Damoh and Seoni; but, in Bhandara and Damoh especially, much of this business might have been done in the interior of the district with more satisfaction to the people, if only more persons in the interior fit to be Honorary Magistrates were sought out and appointed.

It has been deemed unnecessary to append to this Report the usual long Statement showing the work of each Officer during the year, but the following list of those Honorary Magistrates who rendered most assistance to the Administration during the year, is given for the Chief Commissioner's information.

District.	Town or residence of Honorary Magistrate.	Name of Honorary Magistrate.	Powers.	Number of accused persons disposed of by each Honorary Magistrate.
		A.—At District Head Quarters.		
Nagpur ...	Nagpur ...	Raja Sulemanshah ...	Full powers	326
ditto ...	ditto ...	Madho Rao Gangadhur ...	ditto	224*
Bhandara ...	Bhandara ...	Yado Rao ..	ditto	939
Jabalpur ...	Jabalpur ..	J. Watts, Esq. ..	Sub-Magistrate 1st Class	322
ditto ...	ditto ..	Baba Balwant Rao ...	ditto	440
Sagar ..	Sagar ...	Krishna Rao ..	ditto 2nd Class	395
ditto ...	ditto ...	Lachman Rao	ditto	320
Seoni ...	Seoni ..	Mahomed Ahmed Khan	ditto	522
Raipur ...	Raipur ...	Rajaram Tivari	ditto 1st Class	391
		B.—At places in the interior of Districts where there is also a stipendiary Magistrate.		
Nagpur	Kamthi .	Bhanudas Naidu	Sub-Magistrate 1st Class	642
ditto	ditto .	Abirchand Rai Bahadur .	ditto	368
Wardha	Hinganghat	Sundar Narayan	ditto 2nd Class	456
Sagar	Rehli	Rao Zorawarsingh	ditto 1st Class	234
ditto	ditto	Rajaram Havildar	ditto 2nd Class	339
Hoshangabad	Harda	Pandit Yenayek Rao	ditto 1st Class	262
ditto	ditto	Tulsiram	ditto 1st Class	230
Narsinghpur	Gadarwara. .	Seth Seobaksh	ditto 2nd Class	439
Nimar	Burhanpur...	Abdul Ganni .	ditto 1st Class	431
		C.—At places in the interior, where there is no stipendiary Magistrate.		
Nagpur	Dhapewara. .	Govind Rao Jemadar	Sub-Magistrate 1st Class	514
ditto	Digras	Trimbakji Nanakhalat Kar	ditto	246
Wardha	Ashti	Nawab Wahid Khan	ditto	366
Jabalpur	Belkhera	Thakur Chaitsingh	ditto	364
Seoni	Ari	Mahomed Emam Khan	ditto 2nd Class	472
ditto	Pahari	Bakhtawarsingh	ditto ditto	216
Narsinghpur	Pipariah	Thakur Bhopalsingh	ditto 1st Class	385
ditto	Imjirra	Raja Manbodhsingh	ditto 2nd Class	210
Raipur	Rajim	Raghupat Rao	ditto 1st Class	216

On the other hand a few Honorary Magistrates did very little work ;—but, as a rule, they have all evinced a desire to be working and not mere nominal Magistrates. In connection with the quantity and quality of the work done by Honorary Magistrates, the following extracts are given from the local reports :—

(*Nagpur Division report, para.* 14) * * "The amount of work assigned to Yado Rao of Bhandara is greater than seems at first sight desirable An Honorary Magistrate can seldom be quite as efficient as a trained stipendiary, and if too much work is assigned to the former class of officer, the quality of the Criminal Judicial work of a district may fall off"

(*Narbada Division Report, para* 15) * * "Each district has its work apportioned among its Stipendiary and Honorary Magistrates, just in about the way one would expect from the numbers, powers and localities of its Stipendiary and Honorary Courts The Honorary Magistracy in this Division numbers in its ranks some excellent Magistrates, and, as a body, they continue a thorough success, both from an administrative, and from a popular point of view"

(*Narsinghpur District Report, para* 18) * * "Of the whole Criminal work as much as 39 3 per cent was disposed of by Honorary Magistrates, and this without any pressure being complained of or felt, on the contrary one or two of those on whom the burden appeared to press most, expressed their willingness to me to undertake even more work, whether this was brought about by an extension of limits of jurisdiction, or by an enhancement of their powers"

(*Damoh District Report,, para* 18) * * "The whole working of the Honorary Magistrates' Courts shows very well indeed, and I believe it to be very good Their Courts are much respected and give general satisfaction"

Courts of Session.

38. 390 accused persons were tried by Deputy Commissioners as Courts of Session under Section 445B, Code of Criminal Procedure, and 155 by the Courts of Session presided in by Commissioners of Division. In 1871 the numbers were 427 and 182 respectively.

D —THE ACTION OF THE TRIBUNALS OF ORIGINAL JURISDICTION ON ACCUSED PERSONS APPREHENDED OR APPEARING BEFORE THEM.

General result

39. Of the total 47,489 persons under trial during the year, 17,709 were acquitted or discharged, and 29,232 convicted, while 207 died, escaped, or were transferred, and 341 remained under trial at the close of the year. Thus about 2 persons were discharged or acquitted to every 3 convicted.

Results under selected offences

40. The opposite Table shows the proportions respectively acquitted or discharged and convicted under the principal headings of offence, and the districts in which most convictions occurred —

Selected Offences.		Number of persons disposed of by discharge, acquittal, or conviction.	Proportion acquitted or discharged		Proportion convicted.		Districts in which most convictions occurred.
Numbers. (Statement B. 2.)	Description.		Number.	Percentage	Number.	Percentage.	
8, 9	Counterfeiting, diminishing, or altering coin ...	12	4	33·	(a)8	67·	(a.) 5 in the Jabalpur district.
10	Passing, or possessing bad or altered coin ...	100	53	53·	47	47·	
15	Personating public servant or soldier ...	42	8	19·	(b)34	81·	(b.) 9 in the Seoni district.
17	Omitting to give information of offence, or giving false information	190	56	30·	134	70·	
34 to 45	Offences by public servants	194	47	24	147	74·	
46, 47	Giving or fabricating false evidence ...	88	50	57·	38	43·	
53	Forgery, or fraudulently using or possessing forged document	34	20	59·	(c)14	41·	(c.) 8 in the Narsinghpur district.
55	Public Nuisances under Penal Code ..	489	78	16·	(d)411	84·	(d.) 75 in the Wardha district, and 64 in the Hoshangabad district.
56	Nuisances under Police, Municipal, or Cantonment Acts	3,774	289	8	(e)3,485	93·	(e.) 1,277 in the Jabalpur district
57	Rioting, or unlawful assembly ...	244	99	41·	(f)145	59·	(f.) 47 in the Raipur, and 43 in the Sambalpur district;
61 to 67	Murder	161	122	76·	39	24·	
69	Culpable Homicide	62	40	64·5	22	35·5	
91	Adultery	117	96	82	21	18.	
92	Rape	50	38	76·	12	24.	
94	Hurt	838	331	40·	507	60·	
98	Assault or use of Criminal force ...	13,932	8,366	60·	(g)5,566	40·	(g.) 920 in the Nagpur district.
99	Criminal intimidation or insult ...	1,701	846	50·	(h)855	50·	(h.) 201 in the Sagar, and 170 in the Bhandara district.
102	Defamation	484	311	64·	(i)173	36·	(i.) 46 in the Jabalpur district.
103	Dacoity	93	48	52·	45	48·	
105 to 109	Robbery	120	63	52·5	57	47·5	
110	Extortion	128	73	57·	(j)55	43·	(j.) 9 in the Jabalpur, and 9 in the Seoni districts.

Selected Offences.		Number of persons disposed of by discharge, acquittal, or conviction	Proportion acquitted or discharged		Proportion convicted.		Districts in which most convictions occurred
Numbers (Statement B 2)	Description.		Number	Percentage	Number	Percentage	
111	House breaking or house-trespass in order to commission of theft	2,812	736	26	(k)2 076	74	(k) 230 in the Sagar, and 202 in the Narsinghpur district
115	Theft of cattle ..	1,599	433	27	(l)1,166	73	(l.) 158, 123 and 119 in the Raipur, Bilaspur and Jabalpur districts respectively.
116	Theft ordinary	7,715	1,756	23	(m)5,959	77	(m) 683, 523, 511, 501, 496 and 483 in the Nagpur, Narsinghpur, Jabalpur, Chanda, Hoshangabad and Sagar districts respectively
117	Dishonestly receiving stolen property	710	215	29 9	(n)495	68 9	(n) 71, 56, 49, 46, 39 and 37 in the Raipur, Nagpur, Jabalpur, Bilaspur, Sambalpur and Sagar districts respectively.
118	Dishonest misappropriation of property	294	87	30	(o)207	70	(o) 37 in the Chanda, and 32 in the Bilaspur district
119	Criminal breach of trust	469	211	45	(p)258	55	(p) 38 each in the Nagpur and Jabalpur districts.
120	Cheating	297	125	42	(q)172	58	(q) 25 in the Jabalpur and 22 in the Bhandara districts
121	Mischief ordinary .	389	225	58	(r)164	42	(r) 26 in the Jabalpur district
124	Mischief serious by fire ..	32	24	75	(s)8	25	(s) 4 in the Jabalpur district
126	Criminal trespass or house-trespass ...	1 391	547	39 6	(t) 844	60 4	(t) 147 in the Jabalpur and 100 in the Wardha districts.
133, 134	Vagrancy and bad habit and repute ...	388	148	38	(u)240	62	(u) 51 32, 28 and 23 in the Narsinghpur, Hoshangabad, Wardha, and Jabalpur districts respectively
135	Breaches of Law relating to Spirits and Drugs ...	695	164	23 6	(v)531	76 4	(v) 72 in the Seoni, and 68 in the Mandla districts
137	ditto Salt and Saltpetre ..	954	42	4 5	(w)912	95 5	(w) 267, 266, and 164 in the Seoni, Jabalpur and Raipur districts respectively
138	ditto Stamps ...	202	41	20	(x)161	80	(x.) 28 in the Sagar, and 19 in the Upper Godavari districts.
145	ditto Forests	694	111	16	(y)583	84	(y) 176, 120, and 75 in the Upper Godavari, Bilaspur and Seoni districts respectively.
146	ditto Railways ...	172	22	12 8	(z)150	87 2	(z) 80 in the Jabalpur district
149	ditto Gambling	503	93	18 5	(A)410	81 5	(A) 87 in the Bhandara, and 72 in the Nagpur districts
151	Cattle trespass ...	629	305	48 5	(B)324	51 5	(B.) 47, 33 and 32 in the Damoh, Chanda, and Sagar districts.

41. Regarding the 5 persons convicted in the Jabalpur district of "counterfeiting, diminishing or altering coin;" the Deputy Commissioner writes—

Counterfeiting, diminishing, or altering coin

(Para. 13).—* * "They had well executed moulds for counterfeiting coin in their possession, as well as a quantity of base metal. The trial showed that these people were practised coiners. The gang said that they had come from Berar and professed to be doctors. They did not belong to the district."

42. Under the heading "Personating Public Servant or Soldier," the large proportion convicted [34 out of 42 persons prosecuted] contrasts favourably with the proportion in the previous year [43 out of 73]. The 9 convictions in the Seoni district represent only 3 individuals convicted in three different instances of personating policemen.

Personating Public Servant or Soldier

43. The high proportion of convictions under the heading "omitting to give information, or giving false information, of offence," [134 out of 190 or 70 per cent] seems to indicate that the prosecutions were well selected.

Omission to give, or giving false information

44. Of the 147 convictions of "offences by public servants" 58 were of "breach of Police Act by Police Officers," 34 of "negligently suffering escape" and 35 of "taking valuable thing by, or to influence public servants." Of these last convictions, 6 occurred in the Jabalpur district, and 5 in both the Chanda and the Narsinghpur districts. The nature of these cases is not stated in the Jabalpur district report, but the Deputy Commissioner of Chanda notes that "no Government servants were concerned" in the Chanda cases, and the Deputy Commissioner of Narsinghpur observes that in his district the cases "were generally of a simple nature," the worst being that of the Kanango already referred to in Section B, who received bribes to exempt persons from Pandhri assessments.

Offences by public servants.

45. The difficulties in successfully prosecuting for "giving or fabricating false evidence" are illustrated by the results under this head. Although cases of the kind are not entertained except with the sanction of the Court, before which the evidence was given, still out of 88 persons prosecuted and disposed of, 20 were discharged on Magisterial enquiry, 20 were acquitted after commitment to the Courts of Session and only 38 were convicted.

False evidence.

46. Of the 34 persons prosecuted and disposed of for "forgery, or fraudulently using or possessing forged document," 11 were prosecuted in the Narsinghpur district, and of these 8 were convicted. Of the 23 persons prosecuted in the remaining districts only 6 were convicted.

Forgery.

47. The Statements show great differences in the result of prosecutions for "public nuisances under the Indian Penal Code." Thus taking the two districts showing most prosecutions under this head; Wardha returns only 2 persons acquitted or discharged to 75 convicted, while Hoshangabad shows 22 acquitted to 64 convicted. And greater differences appear elsewhere,—*e. g.*, Nagpur returns 1 person discharged or acquitted to 41 convicted, while Bhandara shows 8 acquitted to 6 convicted. The Statements or reports do not show what particular nuisances under the Indian Penal Code were chiefly prosecuted in different districts, but these nuisances are very different in their character, and the explanation of the different results

Public nuisances under the Penal Code.

probably is that in some districts a larger proportion than in others of the nuisances prosecuted were of a description difficult of proof.

Nuisances under Municipal or Cantonment Acts.

48. Jabalpur contrasts with other districts not only in the number of prosecutions for "Nuisances under Police or Municipal or Cantonment Acts," but also in the results of their trial. Thus of the total 1,312 persons prosecuted under this head in the Jabalpur district only 35 or less than 3 per cent were acquitted or discharged, whereas the corresponding proportion in the Nagpur district was 12 per cent, and in the Sagar district 22 per cent, and in the Provinces (excluding Jabalpur) 10 per cent. It was recently reported to the Chief Commissioner that at Jabalpur the Police had difficulty in finding a Magistrate to take cognizance of cases brought up by them. This may be partly explained by the excessive number of prosecutions there under this head. This has been already commented upon in Section B. of the report.

Murder.

49. Of 161 persons prosecuted for murder, 65 were committed to the Court of Session, and of these 39 were convicted. This proportion is much the same as in 1871, when 44 out of 74 persons committed were convicted.

Adultery

50. Considering that the small number of persons prosecuted for adultery, (117) seems to indicate the exercise of some discrimination in dealing with complaints of this offence, the proportion convicted (18 per cent appears small). In 1871 the proportion was little higher, only 22 per cent.

Hurt.

51. The high proportion of convictions in cases for hurt (60 per cent) is explained by the practice adverted to under Section B. of the report, of only proceeding against accused persons on this charge, when the hurt is of a palpably severe kind. In 1871, the proportion of convictions under this head was only 49 per cent. But comparison of the relative proportions between trials for assault and hurt in the two years seems to show that the trials for hurt were more strictly selected cases in 1872 than in 1871.

Assault.

52. 8,366 or 60 per cent out of 13,932 persons prosecuted for assault were acquitted or discharged. Although doubtless in a large proportion of cases the acquittal or discharge was due only to default, frequently at accuseds' instance, on the part of complainants to maintain prosecution, still there appears ground to believe that the Courts have often allowed themselves to be too facilely set in motion. This appears to have been more especially the case in the following districts—

Districts.	Number of persons dealt with.	Number acquitted or discharged.	Percentage.
Bhandara	661	456	69
Hoshangabad	1,620	1,125	69
Nimar	771	623	81

The Deputy Commissioners of these districts have been specially addressed on the subject. There seems to be no valid reason why the Bhandara results above instanced should differ so greatly from that in Wardha, where out of 662 persons only 53 per cent were acquitted or discharged, nor why Hoshangabad, also instanced above, should compare so unfavourably with the adjacent district of Narsinghpur, where out of 1,012 persons disposed of only 50 per cent were acquitted or discharged The proportion of convictions was also comparatively good in the Chanda, Betul, Chhindwara, Raipur, Sambalpur and Bilaspur districts.

Criminal intimidation or insult.

53. There has been an increase in the proportion of convictions in trials for "Criminal intimidation or insult" In 1871, out of 1,920 persons tried under this head, 45 per cent were convicted, and in 1872 out of 1,701 persons so tried, 50 per cent were convicted. The result, as indicating greater discrimination in the admission of complaints under this head seems *pro tanto* satisfactory. These prosecutions were most frequent in the Nagpur, Bhandara and Sagar districts, and the results in each form a striking contrast; thus—

DISTRICTS.	Number of persons dealt with.	Number convicted.	Percentage convicted.
Nagpur	340	134	39
Bhandara	331	170	51
Sagar	328	201	61

The Nagpur figures form ground for apprehending that in more cases than usual the accused persons have been unnecessarily summoned.

Defamation.

54. The number of persons dealt with for "defamation" was highest in the Jabalpur district (82), and notwithstanding a remark in the Deputy Commissioner's report, indicating a different result, the proprtion convicted was unusually large, being at the rate of 56 per cent, as compared with the Provincial average of 36 per cent. The only district with a large number of fruitless prosecutions was Bhandara, where 43 out of 48 persons dealt with for this offence were discharged or acquitted.

House breaking or house-trespass in order to commit theft

55. While the number of reported "house-breakings or house-trespasses in order to commit theft" increased from 6,188 in 1871 to 7,950 in 1872, or by 28 per cent, convictions for this offence have only increased from 1,787 to 2,076 or 16 per cent. There has however been no decrease, but rather a slight increase in the success of prosecutions actually instituted, the proportion of convictions to accused persons dealt with

standing at the high rate of 74 per cent. The following are instances, however, of very different results in different districts— .

Districts.	Number of persons dealt with.	Number of persons convicted.	Percentage (of persons dealt with) convicted.
Chanda	196	123	63
Wardha	61	49	80
Hoshangabad	150	121	81
Betul	133	77	58
Narsinghpur	247	202	82
Nimar	84	43	51
Chhindwara	100	59	59
Sambalpur	111	103	93

The Local reports throw no light on the causes of these great differences, but certain remarks on the unusual readiness of accused persons in the Sambalpur district to confess, coupled with the fact that only 114 offences under this head are reported to have occurred in that district, suggest that in Sambalpur only those people have been dealt with for this offence who admitted having committed house-trespass or house-breaking in order to commission of thefts of the which they were accused.

The very small number of persons (61) returned as dealt with, under this heading, in the Wardha district, compared with the return for the neighbouring district of Chanda (196), and the figures also for Bhandara (159), and Balaghat (120) suggests, that the Wardha Magistrates have possibly treated some thefts in order to which house-breaking or house-trespass was committed, as "thefts, ordinary." A similar remark occurs in respect of the Nimar return. The attention of the Deputy Commissioners of Nimar and Wardha has been drawn to the point.

Theft of cattle.

56. While reported thefts of cattle increased from 1,106 in 1871 to 1,412 in 1872 or 28 per cent, convictions have increased from 976 to 1,166 or 20 per cent; due partly to an increased number of prosecutions, but largely also to an increase from 67 to 73 per cent in the proportion of convictions to the number of accused persons prosecuted, under this heading also large but unexplained differences in results are apparent in different districts, *e. g.* :—

Districts.	Number of persons dealt with.	Number convicted.	Percentage convicted.
Nagpur ...	51	43	84
Chanda .	33	28	85
Bhandara ..	60	33	55
Balaghat ..	82	54	64
Sagar ...	102	82	80
Narsinghpur ...	98	78	80
Chhindwara ...	42	36	86
Sambalpur ...	82	66	80
Bilaspur ..	211	123	58

57. During the year 1872 "reported thefts ordinary" increased to 13,976 as compared with 9,403 in the previous year or by 49 per cent. At the same time the number of accused persons dealt with by the Courts increased from 6,142 to 7,715 or 26 per cent, and the number convicted rose from 4,481 to 5,959 or 33 per cent, the proportion of convictions to prosecutions having risen from 73 to 77 per cent. The lowest proportion of conviction was 68 per cent of 294 persons in Betul, the next lowest being 70 per cent of 246 persons in Bilaspur. The highest proportions were 86 per cent of 392 persons in the Sambalpur district, and 84 per cent of 575 persons in the Sagar district.

Thefts ordinary

58. 491 persons have been convicted of dishonestly receiving stolen property as compared with 9,196 convictions of theft and house-breaking or house-trespass in order to theft, the relative proportions being nearly as 5·3 to 100 This proportion seems high, and as no mention is made in the local reports of any special success in tracing receivers of stolen property, it seems probable that Magistrates have frequently been content to deal with actual thieves as receivers. This suggestion occurs especially in respect of the Raipur, Bilaspur, Damoh, and Sambalpur districts, where the proportion of convictions for receiving stolen property to convictions for thefts and theft with house-breaking as above, rises as high as 13·4, 11·3, 8 5 and 7·7 per 100. The attention of the Magistrates in these districts has been drawn to former instructions on this subject.

Dishonestly receiving stolen property.

59. Contrasted with the 9,196 convictions for theft, and theft with house-breaking or house-trespass, the number of convictions for Criminal misappropriation of property (207) seems small, and when it is remembered that the people generally are ignorant of the distinction which the law draws between theft and criminal misappropriation, and that the high percentage of convictions in prosecutions for theft is due largely to the common practice, where stolen property has been found in possession of the accused, of pleading guilty in general terms of theft, it seems probable that in many cases the necessity of ascertaining that the offence actually committed may not have been criminal misappropriation has been overlooked. It is in point to note that there was not a single conviction for criminal misappropriation of property in the Sambalpur district, where the proportion of convictions in theft cases was higher than in any other district of the Central Provinces, and where the habit of confessing is mentioned in the local reports as peculiarly general Further it is noticeable that whereas the proportion of convictions for criminal misappropriation to convictions for theft, &c. as above was 32 to 409 in the Bilaspur district (adjoining Sambalpur), and 37 to 652 in the Chanda district, it was less than one to a hundred in the Balaghat, Jabalpur, Damoh, Betul, and Narsinghpur districts. The general attention of the Magistracy has been drawn to the point.

Criminal misappropriation of property.

60. Under "Criminal breach of trust" the success of the prosecutions in the Jabalpur district where 38 out of 57 persons dealt with were convicted contrasts with the result in Sagar where only 8 out of 24 were convicted. In Nimar also the prosecutions only resulted in the conviction of 14 out of 39 persons dealt with.

Criminal breach of trust

61. Of districts in which prosecutions for cheating were at all numerous, the proportion of conviction was high in Jabalpur (24 out of 38 persons dealt with), Bhandara (22 out of 31), Betul (13 out of 16), and Raipur (16 out of 25). The proportion was low in the Nagpur district (18 out of 42).

Cheating

62. The following Table shows the number of convictions in each district under certain main heads of offence, and the proportions they bear to the total convictions. It will aid the

Summary of results under certain main offences.

review of "punishments" in the next section of this report —

Districts	Total number of persons convicted by Magistrates.	Theft [ordinary and of cattle] and house-breaking or house-trespass in order to commit theft.		Assault or use of Criminal force		Nuisances under Police or Municipal or Cantonment Acts.		Large proportion of conviction under other headings of offence
		Number of persons convicted.	Percentage of total convicted [column 2.]	Number of persons convicted.	Percentage of total convicted [column 2.]	Number of persons convicted.	Percentage of total convicted [column 2.]	
Nagpur ...	2,903	884	31	920	32	282	10	134 convictions, or 4·6 per cent, for "Criminal intimidation or insult.
Chanda ..	1,367	652	48	162	12	203	15	
Bhandara ..	1,334	507	38	205	15	73	55	170 convictions, or 13 per cent for "Criminal intimidation or insult;"—87, or 6·5 per cent under the Gambling Act.
Wardha .	1,345	339	25	303	23	196	15	100 convictions, or 7·4 per cent for "Criminal trespass or house-trespass;" 75 or 5·6 per cent for "public nuisances under the Indian Penal Code."
Balaghat ...	599	300	50	87	15	34	6	33 convictions, or 5·5 per cent for "nuisances under the Indian Penal Code."
Jabalpur	3,726	791	21	439	12	127	34	148 convictions, or 4 per cent for affray; 147 or 4 per cent for Criminal trespass or house-trespass.
Sagar ...	2,737	795	29	562	21	237	9	266 convictions, or 10 per cent under the Salt Customs law; 201 convictions or 7·6 per cent for Criminal intimidation or insult.
Damoh	880	317	36	100	11	169	19	47 convictions, or 5·3 per cent for offences against the Cattle Trespass Act; 39 or 4·4 per cent for affray.
Seoni ..	1,388	380	27	514	37	13	1	72 convictions, or 5 per cent under the Excise law; 75 or 5·4 per cent under the Forest law
Mandla ...	521	247	47	56	11	2	...	41 convictions or 8 per cent for "Criminal trespass or house-trespass," 68 or 13 per cent under the Excise law, 92 or 18 per cent under the Salt Customs law.
Hoshangabad ..	2,129	686	32	495	23	143	7	
Betul	894	285	32	173	20	44	5	81 convictions or 9 per cent under the Salt Customs law; 46 or 5 per cent for affray.
Narsinghpur ..	2,178	803	37	501	23	126	6	
Nimar ..	1,265	389	31	148	12	260	21	
Chhindwara ..	869	305	35	197	23	114	13	

Districts	Total number of persons convicted by Magistrates	Theft [ordinary and of cattle] and house-breaking or house-trespass, in order to commit theft.		Assault or use of Criminal [force.		Nuisances under Police or Municipal or Cantonment Acts		Large proportion of convictions under other headings of offence.
		Number of persons convicted.	Percentage of total convicted [column 2]	Number of persons convicted.	Percentage of total convicted [column 2]	Number of persons convicted	Percentage of total convicted [column 2]	
Raipur ..	2,017	529	26	380	19	268	13	164 convictions, or 8 per cent under the Salt Customs law
Sambalpur	1,133	506	45	121	11	7	...	267 convictions or 24 per cent under the Salt Customs law.
Bilaspur ...	1,106	409	37	164	15	12	1	51 convictions or 4 6 per cent for "Criminal trespass or house-trespass," 120 or 11 per cent under the Forest law
Upper Godavari ...	458	72	16	38	8	25	5	176 convictions, or 38 per cent under the Forest law; 33 or 7 per cent under the Excise law
Total .. 1872	28,849	9,196	32	5,565	19	3,485	12	
Total .. 1871	26,036	7'233	28	5,507	21	2,48	95	

From the totals of the above table it will be seen that the principal changes in the results of trial during the two years 1871. 1872, have been an increase of 4 per cent in the relative proportion of convictions for "theft and house-breaking or house-trespass in order to theft,*" a decrease of 2 per cent in the proportion of convictions for assault, and an increase of 212 per cent in the convictions for "Nuisances under Police or Municipal and Cantonment Acts." And the general result is that during 1872, nearly a third of the convictions were for "theft or house-breaking or house-trespass in order to theft," nearly a fifth for assault, and about an eighth for "Nuisances under Police or Municipal or Cantonment laws." But the following exceptional results are noticed in certain districts.

* The total convictions for offences punishable under the Whipping Act have correspondingly increased from 7,888 or 30 per cent in 1871 to 9,741 or 34 per cent in 1872 In 1871 the proportion of these convictions for whippable offences which were second or subsequent convictions for the same offence was 765 or 3 per cent of the total convictions for all offences, in 1872, the corresponding proportion was 1,122 or 3 9 per cent. Great differences however are observable in the proportion of these subsequent convictions in different districts, attributable in some degree to different constructions as to what is the same offence in the sense of Section 3, Act VI of 1864 Circular instructions in view to a uniform understanding on the subject have been issued.

In the Chanda, Balaghat, Mandla, and Sambalpur districts half or nearly half the convictions were for "theft and house-breaking or house-trespass in order to theft." Besides this, in Mandla about another fifth, and in Sambalpur about a fourth of the convictions were for offences against the Salt Customs law, and in Mandla another eighth were for offences against the Excise law.

In the Nagpur district nearly a third and in the Seoni district over a third of the convictions were for assault.

In the Jabalpur district over a third of the convictions and in the Damoh and Nimar districts about a fifth of the convictions, were for "Nuisances under Police or Municipal or Cantonment Acts."

In the Upper Godavari District nearly two fifths, and in the Bilaspur district over a tenth, of the convictions were for offences against the Forest law.

E.—Punishments.

Kinds of punishment.

63. Firstly, as regards *kinds* of punishment, the following Table is offered :—

		1872 Persons.	1871 Persons.
a. Fined ..	Fined only ..	18,577	17,612
	Fined and whipped	3	2
	Total ..	18,560 or 64·2 per cent of total punished.	17,614 or 66·8 per cent of total punished.
b. Imprisoned.	Imprisoned only...	5,109 or 17·6 per cent	4,252 or 16·1 per cent
	Do. and fined. .	1,532 or 5·3 do.	1,387 or 5·3 do.
	Do. and whipped	500 or 1·8 do.	277 or 1· do.
	Total ..	7,141 or 24·7 per cent of total punished.	5,916 or 22·4 per cent of total punished.
c. Whipped ...	Whipped only ..	3,199 or 11· per cent of total punished.	2,801 or 10·6 per cent of total punished.
d. Transported	Transported (terms)	1	6
	Do. (life)	21	14
	Total ..	22	20
e. Death		18	22
	Total ...	28,960	26,373

It will be seen that while the proportions of persons sentenced to whipping only and to imprisonment with fine, were nearly the same for both years, the proportion sentenced to fine only during 1872 was 2½ per cent less than in 1871, the difference being made up by an increase of 1½ per cent in the proportion "imprisoned only," and nearly 1 per cent in the proportion "imprisoned and whipped."

The increase in sentences of imprisonment and whipping corresponds with the reported increase in the proportion of second or subsequent convictions for whippable offences, but the results generally are not what might have been expected from the convictions. Thus a large decrease in the proportion of sentences of "fine only" has occurred without any corresponding decrease in the proportion of convictions under the main heads of offence ordinarily punished with fine only, and there has been no increase in sentences of "whipping only." Corresponding to the large increase in convictions for whippable offences, and the tendency of the year appears to have been to substitute sentences of "imprisonment only" in cases in which formerly the accused persons would have been kept out of Jail by sentences only of fine or whipping.

Proportions fined, whipped and imprisoned in each district.

64. The proportions in which persons were sentenced by Magistrates to fine, imprisonment, and whipping are given for each district separately in the following Table. Exceptionally high or low proportions under any head are indicated in italics.

Districts.	Total number of persons sentenced to fine, imprisonment and whipping.	Sentenced to fine only.		Sentenced to whipping only.		Sentenced to imprisonment.		Detail of sentences of imprisonment.					
								Imprisonment only.		Fine in addition to imprisonment.		Whipping in addition to imprisonment.	
		Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 7.	Number of persons.	Percentage of total in column 7.	Number of persons.	Percentage of total in column 7.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur	2,881	1,961	68·	242	8·5	678	23·5	484	71·	142	21·	52	8·
Chanda	1,363	688	*50·6*	270	*19·8*	405	29·6	328	*81·*	63	15·6	14	*3·4*
Bhandara	1,327	773	58·	249	*19·*	305	23·	213	70·	66	21·5	26	8·5
Wardha	1,318	958	*72·7*	96	*73·*	264	20·	237	*90·*	19	*7·*	8	*3·*
Balaghat	599	286	*48·*	84	14·	229	*38·*	172	75·	44	19·	13	6·
Jabalpur	3,679	2,779	*75·5*	237	*65·*	663	*18·*	518	*78·*	71	*11·*	74	*11·*
Sagar	2,720	1,920	*70·6*	280	10·4	520	*19·*	306	*59·*	194	37·	20	*4·*
Damoh	867	506	58·5	86	10·	275	*31·5*	208	76·	37	*13·*	30	*11·*
Seoni	1,383	911	66·	183	13·	289	21·	160	*55·*	83	29·	46	*16·*
Mandla	509	209	*41·*	104	*20·5*	196	*38·5*	131	67·	48	24·	17	9·
Hoshangabad	2,097	1,418	67·5	188	9·	491	23·5	299	*61·*	160	*32·5*	32	6·5
Betul	888	527	59·	124	14·	237	27·	162	68·4	67	28·2	8	*3·4*
Narsinghpur	2,108	1,372	65·	211	10·	525	25·	330	*63·*	146	28·	49	9·
Nimar	1,264	787	62·3	171	13·5	306	24·2	262	*86·*	26	*8·*	18	6·
Chhindwara	861	557	64·8	48	*5·6*	256	29·6	170	66·5	78	*30·5*	8	*3·*
Raipur	2,015	1,379	68·3	260	13·	376	*18·7*	250	67·	83	22·	43	*11·*
Sambalpur	1,132	549	*48·5*	152	13·5	431	*38·*	374	*87·*	37	*8·5*	20	*4·5*
Bilaspur	1,093	592	*54·*	194	*17·8*	307	28·2	215	70·	76	25·	16	5·
Upper Godavari	458	382	*83·5*	7	*1·5*	69	*15·*	40	*58·*	27	*39·*	2	*3·*
Total ...	28,572	18,554	64·9	3,186	11·2	6,822	23·9	4,859	71·	1,467	22·	496	7·

65. The punishments of imprisonment and whipping are alike inflicted only for offences which are deemed to be of a sufficiently serious nature to warrant the disgrace of the persons convicted, and it is known that one or other of these punishments is very generally inflicted on convictions for "theft, and house-breaking or house-trespass in order to theft." Now it has been shown in para. 62 above that the proportion of such convictions in 1872 was 9,196 or 32 per cent of convictions for all offences, and as it appears from the above Table that the number of persons sentenced to imprisonment or whipping during the year was 10,008 or 35 per cent of all persons punished, it follows that the proportion of those persons imprisoned or whipped who were so punished on conviction for theft or house-breaking, &c. as above, must have been so great that the Table of such convictions in para 62 above forms a tolerably fair standard whereby to gauge the relative frequency, or otherwise, with which the Magistrates in different districts have passed sentences of imprisonment or whipping. From the above Table of punishments these sentences appear to have been passed in the largest proportion in the Mandla, Balaghat, Sambalpur, Chanda and Bilaspur districts. But a comparison of the number of persons sentenced to imprisonment or whipping with the number convicted in those districts of "theft and house-breaking, &c." shows that the Provincial average excess of the former over the latter (9 per cent) was exceeded only in the Bilaspur, Mandla and Sambalpur districts, where such excess was 22, 21 and 15 per cent respectively. In Balaghat and Chanda on the other hand the excess is much below the Provincial average. Tested by this standard then the suggestion of possible severity in sentencing so largely to imprisonment or whipping is borne out only in respect of Bilaspur, Mandla, and Sambalpur.

Proportions whipped or imprisoned in different districts.

On the other hand the same Table of punishments shows that sentences of imprisonment or whipping were passed in exceptionally small proportions in the Upper Godavari, Jabalpur, Wardha and Sagar districts Here similar comparison with the convictions for "theft, house-breaking, &c." tabled in para 62 above refutes the suggestion of lenient forbearance to inflict these punishments in the Jabalpur district, but confirms that suggestion in respect of the Upper Godavari and Sagar districts.

Applying the same test to other districts similar suggestion of severity [as to kind of punishments] attaches to the Raipur, Nimar, Seoni and Betul districts, where the number of persons imprisoned or whipped exceeded the number convicted of "theft, house-breaking, &c." by 20, 23, 24 and 27 per cent respectively, and the contrary inference of leniency [as to kind] is suggested in respect of the Hoshangabad, Narsinghpur and Chhindwara districts, where the number thus punished was less than the number so convicted.

Of course apparent severities may be explained by disproportionate convictions for offences other than "theft and house-breaking, &c." which might properly be punished with imprisonment or whipping, but the inferences as to leniency are not so open to question.

66. The varying proportions of sentence of "fine only" in different districts are only the converse of the proportions of imprisonments or whippings just considered. The exceptionally high proportion of such sentences in the Upper Godavari District is partly explained by the exceptional proportion of convictions

Proportions fined only in different districts.

in that district for breaches of the Forest law, which the Deputy Commissioner specially notes in para 6 of his report, were punished very lightly. Similarly the exceptional proportion of sentences of "fine only" in the Jabalpur district is in great part due to the exceptional number of prosecutions in that district for nuisances. On the other hand the exceptionally small proportions of such sentences in the Mandla, Balaghat and Sambalpur districts accompany exceptionally few convictions for assault, nuisances and criminal tresspass.

Proportions whipped only in different districts.

67. The relative proportion of sentences of whipping may be gauged with special certainty by comparison with the convictions for "theft and house-breaking or house-trespass in order to theft," for the convictions for other whippable offences are so comparatively few that they can hardly affect deductions suggested by this test. Of course only males convicted of these offences are liable to be whipped, but while convictions of females are comparatively infrequent, their proportion does not probably vary much in different districts. Altogether 3,682 persons were sentenced to whipping only or to whipping combined with imprisonment as compared with 9,196 persons convicted of "theft and house-breaking, &c." as above, the general proportion then being 40 per cent. The proportion was highest in the following districts—Seoni [60 per cent], Raipur [57 per cent], Bhandara [54 per cent], and Bilaspur [51 per cent], and it was lowest in the Upper Godavari District [13 per cent], and the Chhindwara district [18 per cent.]

Proportions whipped in addition to imprisonment in different districts

68. The number of persons sentenced to whipping in addition to imprisonment may also usefully be compared with the total convicted of "theft and house-breaking, &c.," for although the possibility of inflicting whipping in addition to imprisonment would depend on proof that the convicted persons had previously been convicted of the same offence, and thus another element besides comparatively lenient or severe preference for certain punishments is introduced into the comparison, still habitual Criminals are not known to bear any markedly larger proportion to occasional Criminals in one district than in another, and if the comparison indicate more careful tracing of former convictions in certain districts this also is an important point in Criminal Administration. Now, while the Provincial proportion of persons sentenced by Magistrates to whipping in addition to imprisonment (496) to the number (9,196) convicted of "theft, house-breaking, &c." was 5 4 per cent, the corresponding proportion in the Wardha and Chanda districts was only 2 per cent, and on the other hand it was 9 per cent in the Jabalpur district, 10 per cent in the Damoh district, and 12 per cent in the Seoni district. The Chanda report indicates an unnecessarily restricted view of the reference in Section 3 of the Whipping Act to subsequent convictions of the same offence. This has been corrected by a Circular on the subject, as the misconception may have prevailed elsewhere also.

Proportions fined in addition to imprisonment in different districts.

69. Another point for comparison suggested by the above Table of punishments is the relative proportion in which persons imprisoned in different districts were sentenced to fine in addition to the imprisonment. The proportion for the Province was 1,467 out of a total of 6,822 persons imprisoned or 22 per cent. This proportion (as will be seen from the Table referred to) was most exceeded in the Upper Godavari, Sagar, Hoshangabad and Chhindwara districts, and on the other hand fine was awarded in addition to imprisonment in exceptionally small proportions in the Wardha, Nimar, Sambalpur, Jabalpur and Damoh districts.

Summary of special results in certain districts.

70. The following peculiarities then are noticed in certain districts.

In *Wardha* both fine and whipping as punishments in addition to imprisonment appear to have been overlooked.

In *Sambalpur* fine, alike as a single or additional punishment, appears to have been avoided.

In *Seoni* whipping both as a single and additional punishment was awarded with exceptional frequency.

In the *Upper Godavari* District " fine only" superseded other punishment in an exceptional degree.

In both *Jabalpur* and *Damoh* whipping was added to imprisonment in an exceptionally large proportion of cases, while fine in addition to imprisonment was proportionately seldom awarded.

In *Sagar, Hoshangabad, Chhindwara,* and *Upper Godavari* on the other hand, sentences of imprisonment were most generally enhanced by fines in addition, while whipping in addition was avoided.

Simple Imprisonment.

71. Of the total 7,478 persons sentenced to imprisonment by all Courts, 369 or nearly 5 per cent. were sentenced to simple imprisonment, and 95 per cent. to rigorous imprisonment. The proportion sentenced to simple imprisonment was exceptionally large in the Upper Godavari District (10 out of 69 persons imprisoned), and in the Nimar district (34 out of 306 persons), these proportions are *prima facie* high, and special explanation has been called for.

Solitary confinement.

72. In 1871 only 177 persons were sentenced to solitary confinement. Although the propriety of more frequent award of this punishment has been impressed on the Courts, still, during 1872, only 335 persons or 5 per cent. of 7,093 persons sentenced to rigorous imprisonment, were ordered to be kept in solitary confinement. In the Jabalpur, Betul and Sambalpur districts only did the proportion exceed 10 per cent. In the Balaghat and Nimar districts not a single person, in Seoni only one person, and in Hoshangabad, Chhindwara and Raipur districts less than two per cent. of those sentenced to rigorous imprisonment, were sentenced to solitary confinement. In the Seoni and Nimar reports, the want of separate cell accommodation in the District Jails is said to have induced the Magistrates to abstain from adjudging solitary confinement, but this could not apply in respect of the comparatively numerous persons sentenced to more than six months' imprisonment, who under Departmental orders, are drafted to the fully provided Central Jails, and in all six districts the subject seems certainly to have been overlooked in an improper degree. The attention of the Magistracy in those districts has accordingly again been specially directed to the matter.

Compensation to complainants or injured parties.

73. Out of a total of Rs. 1,12,176, fines imposed by Magistrates, Rs. 11,476 or 10 2 per cent. were ordered to be paid in compensation to complainants or injured parties. In 1871 the proportion was 11·6 per cent The proportion during 1872 was least in the Sagar district, only Rs. 500 or 3·6 per cent. of Rs. 13,924 imposed as fines. This is the more remarkable as Sagar was one of the districts in which fine was most generally inflicted both as an only punishment and as a punishment additional to imprisonment ; moreover it had nearly the average proportion of convictions for offences against property, a class of case in which the claims

of injured parties to compensation are particularly strong. The proportion was also low in the following districts :—

Districts.		Total amount of fines.	Compensation awarded to injured parties.	Percentage of compensation to fines.
Jabalpur	...	11,744	537	4·6
Wardha	...	3,911	181	4·6
Betul	..	4,660	221	4·7
Damoh	...	4,291	210	4·9
Seoni	..	4,996	256	5·1
Nimar	...	4,196	252	6·
Hoshangabad	..	11,744	537	6·3

Of these districts, the proportion of convictions for theft, &c., was above the average in Damoh and about the average in Betul, Nimar and Hoshangabad. In Hoshangabad, Seoni and Betul also the proportion of persons sentenced to fine in addition to imprisonment (presumably to a large extent for offences against property) was high. In these five districts therefore larger awards of compensation to injured parties might have been expected. In the cases of Damoh and Jabalpur it was found that whipping had apparently been preferred to fine as a punishment additional to imprisonment. But it may be questioned whether, in justice to injured parties, fines with awards of compensation therefrom should not have been more frequent in both districts. On the other hand, the largest awards of compensation were made in the following districts :—

Districts.		Total fines.	Compensation awarded to injured parties.	Percentage of compensation to fines.
Narsinghpur	..	10,053	2,082	21·
Raipur	..	8,651	1,787	21·
Sambalpur	...	3,574	827	23·
Upper Godavari	...	2,324	666	29·

Of these districts Narsinghpur had a high proportion, and Sambalpur an exceptionally high proportion of convictions for theft, &c. The large proportion of such compensation awarded in the Sambalpur district, rebuts the inference as to possible forgetfulness of the interests of injured parties, suggested by the exceptionally small recourse to fine noticed in that district.

Although the highest proportions of convictions for theft, &c., occurred in the Balaghat and Chanda districts, still the proportion of compensation awarded to injured parties in the Chanda district little exceeded, and in the Balaghat district, hardly equalled the Provincial average.

In Courts of the Deputy Commissioner as Courts of Session out of Rs. 6,808 imposed as fines, only Rs. 171 were awarded as compensation to injured parties. The awards were made by the Deputy Commissioners of Bilaspur, Sambalpur and Seoni.

In Courts of Session the only awards of the kind were an exceptional award of Rs. 10,000 by the Commissioner, Chhattisgarh Division, to the surety who made good the defalcations in the Raipur Treasury, and a similar award of Rs. 4,000 by the Commissioner, Nagpur Division, to the official who made good the misappropriations from the Bhandara Treasury.

Compensation for frivolous or vexatious complaints.

74. 768 persons have been required to pay compensation aggregating Rs. 1,455 for complaints in summons cases dismissed as frivolous or vexatious. The corresponding amount awarded in 1871 was only Rs. 575. The majority of these awards are made in respect of complaints of assault, and as, during 1872, only 4,111 accused persons were acquitted* in assault cases, fair effect seems on the whole to have been given to the law on this subject during the year.

* Not including persons discharged merely because complainants withdrew their complaints or made defaults in prosecutions.

Compared with the number of acquittals in assault cases the awards were least frequent in the following districts :—

Districts.	Number of persons acquitted for assault.	Number of persons ordered to pay compensation.	Amount of compensation.
Nagpur	700	83	164
Wardha	238	28	76
Seoni	346	27	44

This has been brought to the notice of the Magistrates in these districts.

Degrees of punishment

75. Secondly, as regards *degrees* of punishment the following remarks are offered—

The average amounts of fine calculated for all Courts has increased from Rs. 6 in 1871 to Rs. 6-7-0 in 1872, but this average is so affected by exceptional fines of large amounts that little importance can be attached to it, calculated for Magisterial Courts only the average has fallen from Rs. 5-8-0 to Rs 5-6-0.

H—Z—10—67—300.

The following Table is offered regarding fines in all Courts :—

Grade of Fine.	1871.		1872.	
	Number of persons fined.	Percentage to whole.	Number of persons fined.	Percentage to whole.
Rupees 5 and under	15,015	79·	15,937	79 3
" 5 to " 20	2,983	15·7	3,281	16·4
" 20 to Rupees 50	845	4·4	732	3·6
Above Rupees 50	160	·9	159	·8
Total ...	19,003	100·	20,109	100·

It will be seen that compared with 1871, the changes in the relative proportions of persons fined under each grade of amount have not been great. The tendency, however, has been to a decrease in the proportion of larger fines, resulting chiefly in an increase in the proportion of fines from Rs. 5 to 20 in amount.

Degrees of fine in different districts.

76. The relative propotions of Magisterial fines under each grade in each district are compared in the following Table :—

Districts.	Percentage of fines.			
	Rupees 5 and under.	Above Rupees 5 to Rupees 20.	Above Rupees 20 to Rupees 50.	Above Rupees 50
Nagpur . ..	79·	16 9	3·3	·8
Chanda	89·	9·2	1·6	·2
Bhandara	82·	15·	2·2	·7
Wardha ...	86·	11·6	1·9	·5
Balaghat	82·	15·3	2 4	·3
Jabalpur	87·	10·1	2 6	·3
Sagar	71·	24·1	4·5	·4
Damoh	78·	16·4	4·4	1·2
Seoni	80·6	16·4	2·5	·5
Mandla	63·4	22·2	12·4	2·
Hoshangabad	76·	11·4	5·4	1·2
Narsinghpur	71·4	23 8	3 8	1·
Nimar	79·6	16·1	3·4	·9
Betul	65·5	28·9	4·8	·7
Chhindwara ...	83·	12·5	3·9	·6
Raipur .. .	80·	15 8	3·7	·7
Bilaspur .	83·7	14·4	1·9	...
Sambalpur	84·	10·3	4·4	1·3
Sironcha .. .	90·7	6 1	1·5	1·7
Total average ...	79·5	16·3	3 5	·7

It will be seen that the proportion of fines below Rs. 5 in amount was smallest in the Mandla and Betul districts. This was made up in Mandla by large proportions under all the higher grades, more especially by an exceptionally large proportion in the grade from Rs. 20 to Rs. 50, and in Betul by an exceptionally large proportion under the grade from Rs. 5 to Rs. 20. In Mandla, however, the proportion of convicted persons punished by fine was smaller than in any other district in the Provinces, and a large proportion of the persons fined, were fined heavily for breaches of Excise law. In Betul, on the other hand, nearly an average proportion of persons was fined, and only an average proportion of the convictions were for offences against property, so the exceptional proportion of fines between Rs. 5 and 20 in amount seems to indicate a high standard of fine in ordinary cases. Similarly a high standard of ordinary fine seems to have obtained also in the Sagar district, which shows the next smallest proportion of fines below Rs. 5, and where the proportion of fines from Rs. 5 to Rs. 20 was exceptionally high, for in the Sagar district the proportion of convicted persons punished with fine was exceptionally large, while offences against property were below the average, similar inference is suggested by the large proportion of fines in the Narsinghpur district between Rs. 5 and Rs. 20, but with less force, as only an average proportion of persons there were punished with fine, while the convictions for offences against property exceeded the average.

On the other hand the proportion of fines under Rs. 5 was exceptionally large in the Upper Godavari, Chanda and Jabalpur districts. The results in the Upper Godavari district confirms the impression of prevailing leniency there induced by consideration of the Table in para. 64 above, which shows that fine was so generally inflicted as the only punishment in the Upper Godavari district as to include many convicts who, in other districts, would have been punished with imprisonment or whipping. The Jabalpur result is explained by the exceptional proportion of convictions there for petty Municipal or Cantonment nuisances, properly punishable by nominal fines. The Chanda result contrasts remarkably with that in Mandla, for, while in both districts nearly half the convictions were for theft, &c., and only a small proportion of persons were punished with fine, still the proportion fined in sums under Rs. 5 was in Chanda exceptionally large and in Mandla exceptionally small. It seems probable that in the Chanda district fines may sometimes not have been pitched with sufficient regard to the value of the property stolen. On this head the following remarks by the Commissioner, Chhattisgarh Division. may be applicable.

Para. 23. * * * "I doubt if consideration was always, or even generally, given to the importance of ordering such fines as would allow of stolen property being made good wherever possible. The policy of preventing thieving from paying is too obvious to require remark, but the subject has also a direct bearing on the reporting of crime, for, if people knew that in cases of theft, the conviction of the offender would probably ensure the recovery of the loss, thefts would be more readily reported."

Awards of compensation to injured parties contrasted with degrees of fine

77. It will be convenient here to compare district awards of compensation to injured parties with prevailing degrees of fine. The exceptionally small awards of such compensation in the Sagar and Betul districts support the suggestion in the preceding paragraph, that a large proportion of fines between Rs. 5 and 20 in those districts resulted chiefly from a prevailing high standard of ordinary fines. On the other hand the like suggestion offered with some reserve in respect of Narsinghpur is further qualified by the large proportion of such com-

pensation shown to have been awarded in that district. Hoshangabad and Raipur contrast in that, while in Hoshangabad an unusually large proportion of the fines exceeded Rs. 20 in amount, only a small proportion was awarded as compensation, whereas in Raipur, where the fines were all of average amount, a large proportion was awarded in compensation. The Upper Godavari district is exceptional in showing both the largest proportion of fines below Rs. 5 in value, and the largest proportion of compensation to injured parties. But next to Mandla the Upper Godavari district also showed the largest proportion of fines exceeding Rs. 50 in amount, and obviously even average awards of compensation from these large fines would bear an exceptional proportion to the mass of fines under Rs. 5.

Whipping

78. The sentences of whipping compare as follows with those in 1871:—

Sentenced to	1871		1872.	
	Number of persons.	Percentage of total whipped.	Number of persons	Percentage of total whipped
10 stripes or less	1,344	44	1,378	37
11 stripes to 20	1,477	48	1,778	48
20 stripes to 30	254	8	541	15
Total	3,075	1	3,697	100

While the proportion sentenced to the lowest grade of stripes has decreased, the proportion sentenced to the intermediate grade has remained the same, and ncrease has occurred only in the severest sentences.

79. The proportion sentenced in each district to the two extreme grades of stripes are compared in the following Table :—

Degrees of whipping in different districts.

Districts.	Total persons sentenced to whipping.	Sentenced to 10 stripes or less.		Sentenced to more than 20 stripes.	
		Number of persons.	Percentage.	Number of persons.	Percentage.
Nagpur	294	160	54	29	10
Chanda ...	284	105	37	68	22
Bhandara	275	152	55	4	2
Wardha	104	31	30	20	19
Balaghat	97	23	24	2	2
Jabalpur	311	104	33	91	29
Sagar	300	148	49	48	16
Damoh	116	43	37	15	13
Seoni	229	114	50	16	7
Mandla	121	11	9	38	31
Hoshangabad ...	220	79	36	40	18
Betul	132	31	23	27	20
Nimar	189	102	54	10	5
Narsinghpur	259	62	24	14	5
Chhindwara	56	21	38	14	25
Raipur	303	111	37	19	6
Sambalpur	172	35	20	42	24
Bilaspur	210	39	19	46	21
Upper Godavari	9	3	33	...	...
Total ...	3,681	1,374	37	538	15

Two many persons appear to be punished with 10 stripes or less. In respect of many persons so punished the suggestion arises either that the sentences were too light, or that whipping was altogether inappropriate. The Nagpur, Bhandara, Sagar, Seoni and Nimar districts are specially open to this criticism.

The subject has been specially brought to the attention of the Magistracy of these districts. Two of these districts, Bhandara and Seoni, are districts in which the punishment of whipping was shown in para. 64 above to have been most frequently resorted to. The districts in which severe whippings were comparatively most frequent in proportion to the total whipped are Jubalpur, Mandla, Chhindwara and Sambalpur, and among these Mandla is most prominent for severity, showing 31 per cent. in the highest grade of whipping, and only nine in the lowest.

Imprisonment.

80. The degrees of imprisonment inflicted during 1871 and 1872 by all Courts taken together are compared in the following Table :—

Term of Imprisonment.	1871.		1872.	
	Number of persons imprisoned.	Percentage of whole.	Number of persons imprisoned.	Percentage of whole.
Not exceeding 15 days ...	1,100	18·6	1,256	17·6
Do. 2 months ...	2,137	36·1	2,437	34·1
Do. 6 do. ..	1,950	32·9	2,294	32·1
Do. 2 years. ..	585	9·8	1,015	14·2
Do. 7 do. ...	144	2·6	139	2·
Total ...	5,916	100	7,141	100

The chief change has been an increase of 4·4 per cent. in the proportion sentenced to terms from 6 months to 2 years, the number of persons so sentenced having nearly doubled. The proportions sentenced to other terms have all decreased a little, the largest decrease being in the large class of persons sentenced to terms from 15 days to 2 months. This, when contrasted with the tendency of the year noticed in para. 63 above to substitute sentences of imprisonment for fine and whipping only, indicates that imprisonments generally have been pitched somewhat higher than formerly. The tendency to imprison instead of fining only may have been unobjectionable so far as the severer imprisonments are concerned, but *prima facie* it would have been more satisfactory if the relative proportions of fines only and imprisonments in previous years had been maintained by punishing by fine only some of those 1,256 persons who were sentenced to imprisonment for terms not exceeding 15 days.

K. Z—16—105—36)

Degrees of imprisonment in different districts.

81. The following Table illustrates the subject for each district separately :—

Districts.	Total persons sentenced to imprisonment.	Proportion to total punished.	Percentage of imprisonment.			
			Above six months.	Six months and under.	Two months and under.	Fifteen days and under.
Nagpur	678	23·5	9	34	33	24
Chanda	405	29 6	12	44	36	8
Bhandara	307	23	9	28	33	30
Wardha	264	20·	10	30	36	24
Balaghat	229	38	22	27	34	17
Jabalpur	663	18·	14	35	37	14
Sagar	520	19·	11	20	37	32
Damoh	275	31·5	9	39	34	18
Seoni	289	21·	7	55	29	9
Mandla	196	38 5	22	30	34	14
Hoshangabad	491	23 5	17	28	35	20
Betul	237	27·	14	37	38	11
Narsinghpur	525	25·	28	29	23	20
Nimar	306	24·	8	31	37	24
Chhindwara	256	29·6	17	17	37	29
Raipur	376	18·7	4	37	47	12
Sambalpur .. .	431	38·	17	37	38	8
Bilaspur	307	28·	11	36	42	11
Upper Godavari ..	69	15·	11	34	34	21
Total proportion in Magistrates' Courts	6,822	24·	13 2	33	35 4	18·4

The districts in which the proportion of imprisonments exceeding 15 days was highest, were Sagar, Bhandara, Chhindwara, Nagpur, Wardha and Nimar. Of these districts, Nimar is the only one where the proportion of persons sentenced to fine only was comparatively small, and in which therefore it may be assumed with some certainty that some persons who were sent to jail for periods not exceeding 15 days might more properly have been punished with fine only. In regard to the other districts named the inference is that some of the imprisonments for periods not exceeding 15 days may have been unduly short. This remark may be made with greater confidence in respect of Wardha, Sagar and Chhindwara, because in those districts a comparatively small number of persons were sent to jail out of the total punished Another point observable is the divergencies in the proportions sentenced to imprisonment exceeding six months. The districts showing highest proportions in this respect are Balaghat, Mandla and Narsinghpur. Of these districts, looking not only to the figures which represent the proportions as above, but also with reference to the large proportions of persons imprisoned as compared with the total number of persons punished and with reference also to the character generally of the offences for which persons were imprisoned, Mandla and Balaghat seem equally severe and no special cause for the exceptional severity in those districts is apparent. On the contrary as before noted the persons imprisoned in Mandla, included comparatively few thieves and house breakers, and accordingly comparative lightness rather than

severity in the imprisonments was to have been expected. But the district most prominent for the severity of its imprisonments is Narsinghpur, where on the one hand only 23 per cent were for terms between 15 days and two months, and on the other hand, no less than 28 per cent or more than double the general district average were for periods exceeding six months. This remarkable feature in the Narsinghpur imprisonments is qualified to some extent by the circumstance already indicated, that, looking to the character generally of offences of which persons were convicted in this district, the punishment of imprisonment, although inflicted on the ordinary district average number of persons, was on the whole adopted with discrimination. The Deputy Commissioner also writes that special care was taken, during the year to trace former convictions, and this no doubt would lead to the adoption of greater severity than if previous convictions were overlooked. But it is to be presumed that previous convictions were also looked up in other districts as well as in Narsinghpur, and even in Narsinghpur judging by the Local Whipping Act Statement the number of persons convicted for a second or subsequent time of the same whippable offence only equalled about a third of the number of persons who were imprisoned for terms above six months, so that after making all allowances there would still remain in the Narsinghpur district a large degree of unusual severity which is not accounted for merely by the character of the crime dealt with; the Judicial Commissioner does not know that the Magistracy in these Provinces generally are, as a rule, too lenient in pitching sentences of imprisonment, and the conclusion is that in Narsinghpur these sentences were sometimes unnecessarily severe.

On the other hand, the proportions of persons imprisoned for more than six months were exceptionally small in the districts of Nimar (8 per cent), Seoni (7 per cent), and Raipur (4 per cent) The low figure in Nimar, however, partly arises out of the exceptionally high proportion of persons imprisoned there for terms not exceding 15 days. If only the ordinary number of persons had been sentenced to these short imprisonments, and the rest of the persons so imprisoned had been punished with fine only. Then the other imprisonments would not appear so comparatively light. As regards Seoni and Raipur, the comparative lightness of the imprisonments is partly accounted for by the comparatively small proportion of thieves and house-breakers who, as noted above, were included in the persons imprisoned. There is, however, this difference between the two districts that the proportion of imprisonments in Seoni preponderate in those between two and six months, whereas in Raipur it preponderates in those between 15 days and two months, and just as in Narsinghpur the imprisonments are judged to have been sometimes unnecessarily severe, so in Raipur we come similarly on a general comparison of the figures, to the conclusion that the imprisonments in that district were sometimes unduly lenient. The local reports, however, show that the matter is receiving due attention from the Commissioner and Deputy Commissioner.

Summary of special results in different districts.

82. Considerable differences therefore continue in the degrees of punishment inflicted by different Magistrates in different places. The most noteworthy points which an examination of the figures as above has brought out may be here recapitulated.

In *Mandla* exceptionally large proportions of high fines, severe whippings, and long imprisonments.

In *Narsinghpur* exceptionally long imprisonments, and the same in *Balaghat* in a minor degree.

In *Sagar* and *Betul* a high standard of fine in ordinary cases.

In *Sambalpur* and *Bilaspur* proportions sentenced to imprisonment for 15 days or less, and to whipping of 10 stripes or less, both small. These have both been shown to be desirable results, but the only other district in which they are found together is Betul which, however, differs from Sambalpur and Bilaspur in having a high standard of ordinary fine.

In *Seoni* and *Chanda* exceptionally few imprisonments of 15 days or less, but in *Seoni* an exceptionally large proportion, and in *Chanda* a full proportion of whippings below 11 stripes.

In *Nagpur*, *Bhandara*, *Sagar* and *Nimar* exceptionally large proportions both of whippings below 11 stripes, and imprisonments of 15 days or less. In *Chhindwara* also an exceptionally large proportion of small imprisonments and a full proportion of whippings below 11 stripes.

In *Raipur* exceptionally short imprisonments.

General conclusions.

83. The above then are the general conclusions in respect of degrees of punishment inflicted by the Magistracy which can be drawn from the figured Statements, and doubtless they must carry certain weight. At the same time it is true that all conclusions of this kind have to be accepted with much reserve, and that special results are usually in great measure justifiable by special circumstances not fully ascertainable from general reports, and that a just opinion in respect of the general adequacy or inadequacy and general propriety of punishments cannot be expressed without a somewhat extended examination of the judicial records themselves.

This subject has been further reported upon separately.

84. Turning now to the execution of sentences so far as effected through the Courts, the following remarks are offered :—

Execution of sentences of whipping

Hitherto, in these Provinces, sentences of whipping have generally been executed under the supervision of the Magistrates by whom they were passed, at triangles erected for the purpose outside every Court-house. This system had certain advantages ; it enabled the prompt punishment and discharge of offenders sentenced to "whipping only," and to some extent ensured the Magistrates being Judges of the actual punitive effect of their sentences of whipping. But the system had also disadvantages ; chiefly the Courts were not provided with regularly appointed whippers, and consequently the whippings were sometimes executed by one man and sometimes by another, so that the rigour of their execution was not uniform. However under the new Code of Criminal Procedure, Section 302, 2nd and 4th Clauses, persons sentenced to whipping are now forwarded with a warrant for the execution of the sentence to the officer in charge of the Jail of the district in which the trial was held. This should insure uniformity in the infliction of the whippings, and it obviates the painful public executions of sentences of whipping which daily occurred outside our Courts. But the necessity of sending to the District Jail all prisoners who are to be whipped involves considerable inconvenience in the case of Magistrates in the interior of districts, and will no doubt affect the number of persons in future sentenced by such Magistrates to "whipping only."

Realization of fines

85, Again under the Code of Criminal Procedure, the Courts are charged with the realization of their own fines which they are empowered to enforce by the issue of warrants for distress and sale of the moveable property of persons fined. Hitherto no regular

agency has been provided for the levy of fines, and the duty of the Police in the matter has been restricted to the service of a writ of information and oral demand for payment. When this failed, the system has been to issue a warrant for distress and sale of the offender's property to the Tahsildar, who was left to execute it as best he might by irregularly employing the Police, or Civil process-servers or revenue peons, or whoever could be impressed for the service. The subject, however, has been brought separately to the notice of the Chief Commissioner, and proposals for the formation of a proper agency are now being matured.

The following is an Abstract of Fine Accounts for the Provinces, details are given in Local Statement IV. annexed :—

	Rs.		Rs.
Outstanding at the close of 1871. ...	*1,29,702	Realized during 1872	For the year 94,453 Arrears 4,420
Imposed during 1872 ...	1,34,604	Reversed by Superior Courts ...	10,075
		Struck off as unrealizable† ...	22,150
		Outstanding at close of 1872 ...	1,33,208
Total ...	2,64,306	Total ...	2,64,306

The total realizations towards the fines of the year equal only 70 per cent as compared with 82 per cent in 1871. This large decrease is due chiefly to non-realization of an exceptional fine of Rs. 10,000 by the Sessions Court of the Chhattisgarh Division. Calculated only for Magisterial fines of the year, the proportion realized during 1872 was 80·5 per cent as compared with 83 per cent in 1871. Considering that fines of the year include many fines which could not be realized because reversed on appeal, and also some unpaid fines imposed towards the close of the year for whose forcible levy there was no opportunity, the amount of which in either case cannot here be exactly stated, the proportion realized seems very good. The same cannot, however, be said of fines by Courts of Session and by Courts of the Deputy Commissioner as Courts of Session, of which only 18 per cent was realized. Again it is unsatisfactory to see that only Rs. 4,420, were realized out of the large outstanding fines of previous years. It may be hoped, however, that in these respects the work of realization will, on the agency being put on the better footing which is contemplated, improve.

Returning now to Districts and to Magisterial fines only the largest proportions realized out of fines outstanding at the close of 1871 were in the Seoni district (about one fifth) and in the Balaghat and Mandla districts (about one-tenth.) On the other hand only about 1 per cent of such fines was realized in the Sagar, Betul, Chhindwara and Upper Godavari districts.

Of Magisterial fines of the year the largest proportions were realized in the following districts :—

DISTRICTS.	Total imposed.	Total realized.	Percentage realized.
	Rs.	Rs.	
Sambalpur	3,574	3,377	94·4
Wardha	3,911	3,611	92·3
Chanda	2,593	2,330	90
Nagpur	11,053	9,728	88

* Instead of only Rs. 69,506 as shown in the Report for 1871, the increase having resulted from subsequent revision.

† Owing to lapse of the limited time for realization (Section 70 Indian Penal Code.)

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Of these Chanda and Wardha are districts in which there were few large fines. The proportion realized in the Mandla district in which the proportion of large fines was exceptionally high, was very good [Rs. 2,414 out of Rs. 2,819 or 84 per cent]

The districts which show the smallest proportions realized are:—

Districts.	Total imposed.	Total realized	Percentage realized
Seoni	4,996	3,667	73·4
Chhindwara	3,615	2,552	70·5
Jabalpur	11,744	8,260	70·3
Damoh	4,291	2,899	67 6

Of these Damoh and Jabalpur show large amounts [Rs. 1,057 and Rs. 1,411 respectively reversed in appeal, and it is probable that these reversals include many fines of the year.

F.—Witnesses.

General results

86. 92,111 witnesses attended before the Magistrates' Courts and 2,344 before the Courts of Session including Courts of the Deputy Commissioner as Courts of Session as compared with 80,159 and 2,231 respectively in 1871, the general detention of Magisterial witnesses contrasts as follows with the detention in 1871:—

Periods	1872		1871	
	Number	Percentage of total witnesses	Number	Percentage of total witnesses.
Not detained beyond 1 day ...	83,374	90·5	71,999	89·8
Discharged on 2nd day ...	6,509	7·1	6,163	7·7
" 3rd " ...	1,522	2·4	1,292	2·5
" 4th " ...	448		436	
Detained beyond 4 days ...	258		269	
Total ...	92,111	100	80,169	100

The results in 1871 were considered creditable to the Judiciary. The results of 1872 show even a little better notwithstanding an increase of some 12,000 in the number of witnesses dealt with.

87. The following table shows the detention of Magisterial witnesses in each district :—

Results in different districts

District	Total number of witnesses	Percentage discharged in one day	Number detained beyond two days	Number detained beyond four days
Nagpur	10,370	88	242	1
Chanda	4,963	92	127	21
Bhandara ...	4,359	93	60	...
Wardha	4,403	90	102	
Balaghat	1,779	72	170	21
Jabalpur	9,954	93	141	7
Sagar ...	8,695	88	217	19
Damoh	2,528	88	100	6
Seoni	3,963	94	87	12
Mandla	2,212	92	29	
Hoshangabad	7,162	91	135	23
Betul	3,975	86	115	6
Nimar	4,751	87	109	26
Narsinghpur	7,256	92	101	
Chhindwara	3,156	85	223	69
Raipur	5,652	97	17	
Sambalpur	2,136	95	27	11
Bilaspur	3,837	91	69	3
Upper Godavari	960	70	157	33
Total	92,111	90	2,228	258

The only districts which show badly are Balaghat, Chhindwara, and Upper Godavari, the long detentions in Balaghat occurred chiefly and almost equally in the Courts of Mr. Prior and Mr. Kesho Rao. The Deputy Commissioner in his report has not fully met the facts of the case. He writes :—

(Para 14.) * * * "Several causes tended to raise the general average, some of these such as the constant sickness of Mr Prior, Extra-Assistant Commissioner, were by no means the least, I was in nine cases out of ten out in camp. and could not take up the cases, and in many instances I did not know of the detention till almost the last day, since making a special report to the Judicial Commissioner on the subject, I have made better arrangements, and trust the detentions of 1873 will show a decided improvement."

The Commissioner of the Narbada Division in para 38 of his report observes :—"It is to be regretted that the Deputy Commissioner of Chhindwara "has not thought it requisite to report why—

"30 witnesses were kept waiting 6 days.
"19 witnesses do. 8 days.
"20 do. more than 8 days.

"He has now been requested to do so"

The Commissioner has been desired to forward the Deputy Commmissioner's explanation, meanwhile it may be noted that the detentions in question occurred chiefly in the Court of Mr. Dennys.

When reviewing the witness statement of the Upper Godavari District, the Deputy Commissioner writes :—

(Para 20.) "This statement at first sight does not show well, but none of the witnesses as far as I can learn were unnecessarily detained, in my Court a large number had to be summoned during the rains from Wuddegudiem 170 miles off, hardly one of them arrived on the day fixed, and when they did come it was in bodies of 8, 10, and 12, as most of them had to be examined with the aid of an interpreter; it often took a whole day to get through the evidence of 1 or 2 men, and these when examined had to be detained, lest they should be required for re-examination, I have not now time to verify the statement, but I very much doubt whether, as far as the figures opposite my name go, they do not show more favourably than they ought to, the 4 persons shown as detained from 16 to 33 days were kept because they were required for re-examination after the attendance of other witnesses, and they could not go home and return within the time fixed for hearing."

The cases in which witnesses were detained for long periods were sent for and examined, it would have been better if the Deputy Commissioner had verified the statement before sending it in, if he had done so, he would have seen that it did indeed show more favorably than the facts warranted, moreover the Deputy Commissioner would have seen from his own orders in the cases that his explanation of the reasons for long detentions were materially incomplete, in one case 4 witnesses were in attendance for 15 days, and in another case 4 witnesses were in attendance for 7 days without their being examined, the reason assigned by the Deputy Commissioner being press of other work. The Deputy Commissioner has been addressed and ordered to correct the witness statement of his district, and it may be hoped that instances of undue detention of this kind may not recur.

It will be observed that in the above Table the Raipur district shows exceptionally well, the Commissioner, however, in his para 28 casts some doubt on the correctness of the return. On this head it may be noticed that, partly to check any incorrectness of this kind, it has been arranged in the recent revision of Criminal Statistical system, that the Statistics regarding detention of witnesses should in future be compiled at the head quarters of each district, and not in each Court as hertofore.

Expenses of witnesses

88. The Judicial Commissioner is glad to see that the rules for the payment of the expenses of Criminal witnesses framed under Section 438 of the Code of Criminal Procedure, and temporarily suspended for the financial year 1870-71, did not remain so completely a dead letter during 1872 as in 1871, in the districts marginally* noted, it was found possible to take considerable action under the rules, but in other districts payment of the expenses of witnesses continued to be with-held, probably for want of provision for the expenditure in the District Budgets, and from a doubt as to whether the Courts were intended to act on the rules pending the further orders on the subject promised in para 21 of the Chief Commissioner's review of the Criminal report for 1871. The Judicial Commissioner does not know whether any funds have been supplied to the Criminal Courts in the Budget for disbursements under this head during the current year, but the Chief Commissioner knows the urgency of the matter and will doubtless make due intimation on the subject to the Courts, should the same yet seem needful.

	Amount paid as expenses of witnesses
* Chanda	Rs. 1,028
Nimar	" 433
Upper Godavari	" 1,077

G.—Appeal, Reference and Revision.

Total appellate business.

89. Following an increase from 26,434 to 29,232 in the total number of persons convicted, the total number of appellants has increased from 1,712 to 1,983. On an average about 7 out of every 100 persons convicted appealed.

The number of persons who appealed to the different classes of appellate Courts compare as follows with the corresponding figures for 1871 :—

	1871.	1872.
To Magistrates of Districts ..	914	991
To Courts of Session	548	777
To the Sadar Court (Judicial Commissioner) ...	250	217

It will be seen that the chief increase in appellate business occurred in Courts of Session. In the Sessions Court of the Narbada Division the number of appeals increased from 215 in 1871 to 373 in 1872. Regarding this increase the late Commissioner left the following note :—

Divisional Report, para. 40.—" Criminal appeals have increased, partly in consequence of enhanced powers of certain Magistrates, and partly through some excess of zeal on the part of Jail Superintendents in giving effect to the instructions of the Chief Commissioner's Circular XVII. of 1871. I found for instance, that at Hoshangabad, as soon as a prisoner reached the doors of the Jail fresh from the hands of the Magistrate, he was waited upon by another Government official in the shape of the Jail Mohurir, who, with pen in hand, asked him whether he would like to appeal, as a matter of course many prisoners responded to the invitation ; the only wonder is that all did not, as soon as I discovered the existence of this practice, I requested the Superintendent to confine himself to giving effect to the directions of the Circular quoted above."

General results of appeal.

90. The general results of appeals are shown in the following table :—

Classes of appellate Courts.	Total appeals disposed of.	Appeals rejected.		Sentences confirmed.		Sentences modified.		Sentences reversed.		Proceedings quashed (number).
		Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of	
Sadar Court, Court of the Judicial Commissioner ...	217	2	1·	99	45·5	25	11·5	91	42·	...
Courts of Session ...	769	82	10·7	458	59·6	97	12·6	131	17·	1
Magistrates of Districts ...	985	24	2·4	534	54·2	132	13·4	290	29·5	5
Total ...	1,071	108	5·5	1,091	55·3	254	13·	512	26·	6

G. Z.—16—107—360.

The exceptional proportion of appeals "rejected" by Courts of Session will be noticed. According to the rule hitherto adopted in these Provinces, only appeals rejected on technical grounds, *e. g.* as beyond time or because no appeal lies, are shown under this heading. The largest number of appeals so rejected is returned by the Sessions Court of the Jabalpur Division, viz. 45 appeals, or 23 per cent of the total disposed of by that Court.

Proportion and result of appeal for different classes of Courts.

91. The proportion and result of appeals from the different classes of original Courts are shown in the following table :—

Courts from whose orders appeals were preferred.	Proportion of appeal.			Result of appeal.	
	Number of persons convicted during the year.	Number of persons who appealed during the year.	Percentage of appeals to convictions.	Number of persons whose sentences were confirmed on appeal.	Percentage of sentences confirmed.
Courts of unpaid Subordinate Magistrates ..	8,143	415	5·	200	49
Do. Stipendiary ditto ...	11,427	573	5·	334	58
Do. unpaid full power ditto ...	1,212	26	2·	15	58
Do. Stipendiary full power ditto .	8,067	750	9·3	443	59
Session or Deputy Commissioners in the exercise of special powers [Section 445A, Code of Criminal Procedure] ...	383	217	56·7	99	45
Total ...	29,232	1,981	6·8	1,091	51

In the case of full power Magistrates, the above comparison between persons convicted and persons appealing does not show accurately the percentage of appeal to appealable cases inasmuch as no appeal lies from sentences passed by full power Magistrates and higher Criminal Courts not exceeding imprisonment for one month or fine of Rs. 50.

The exceptionally small proportion of appeal from convictions by full power Honorary Magistrates, shown in the above table, is probably due chiefly to a large proportion of their sentences being within unappealable limits for full power Honorary Magistrates are not so much relieved from minor cases as are Stipendiary Magistrates of the same powers, and it may also in part be due to deference to the sentences passed by benches of Magistrates for it is observable that whereas out of 693 persons convicted by full power Honorary Magistrates, sitting singly, 21 appealed, only 5 appealed out of 515 convicted by benches of Magistrates exercising the same powers.

There is of course no comparison between the ratio of appeals to convictions in cases where the appeals be from Courts of Session, and the ratio in other classes of cases for all convictions by Courts of Session are as a rule attended with heavy sentences, which is not the case in respect of convictions by the

other classes of Courts shown in the above table. It has also been already explained that appeals were made by 52 persons in one case.

Judged by the above table, the work of the Honorary Magistrates stands the test of appeal about as well as that of Stipendiaries.

Reference

92. During the year orders were passed by this Court as a Court of reference in respect of 18 sentences of death [2 being of 1871] passed by Courts of Session. The sentences were confirmed in respect of 14 and reversed in respect of 3 persons, and in one case the sentence was modified to transportation for life. In the case of four persons further inquiry or additional evidence was ordered.

Revision.

93. The cases of 79 persons were dealt with by this Court as a Court of Revision. Further inquiry or additional evidence was ordered in respect of 10 persons, and eventually the sentences on 22 persons were confirmed, on 48 reversed, and on 9 modified. As usual many other cases were examined by this Court without issue of special orders on the revision side.

H.—Durations.

In Magistrates' Courts, Police cases

94. In the Magistrates' Courts the average duration of Police cases including all cases forwarded for disposal after previous authorized inquiry by revenue or other officials as well as by the Police, was 2·4 days as compared with 2·6 days in 1871. This reduction in average duration has occurred notwithstanding an increase from 12,510 to 14,845 in the number of such Police cases disposed of. Still the average duration seems to the Judicial Commissioner higher than it should be.

The two chief causes which lead to high average durations in Police cases are (1) delay by the Magistrates in hearing and deciding cases sent in complete for disposal, and (2) the necessity of adjournments in order to obtain evidence additional to that sent in by the Police. Speaking generally, high durations due to the first cause are pretty fairly indicated by the proportion of such cases not disposed of till the 2nd, 3rd or 4th day, and durations due to the necessity of obtaining additional evidence are indicated by the proportion of cases which take more than 4 days for their disposal. Further any undue delays from the first cause are attributable to the judiciary, and chiefly to Magistrates of districts, who, in the exercise of current control over the distribution of business, are expected to see that individual Courts are not swamped with more business of this class than they can punctually dispose of. On the other hand undue delays from the second cause result from defective preliminary investigations by the Police. Of course in a certain proportion of cases delayed from either cause the delay is unavoidable. For instance many cases are of such an intricate character, or involve the examination of so many witnesses, that they cannot be disposed of in one day. Again the Police are sometimes unable to forward all the evidence requisite for the disposal of cases, and accused persons are said frequently not to name the witnesses eventually summoned for their defence until after they have appeared before the Magistrate. The following table has been prepared to show

how far the high average duration of Police cases in 1872 is attributable to either cause :—

Districts.	Total number of cases in Statement 5 A.	Disposed of in 1 day.		Disposed of in 2 days.		Disposed of in 3 and 4 days.		Disposed of in from 5 to 15 days.		Delayed more than 15 days.		Average duration
		Number.	Percentage	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	
Nagpur ...	1,398	964	69	173	12	122	9	122	9	17	1	2·2
Chanda .	901	685	76	43	5	56	6	73	8	44	5	3 1
Bhandara ...	570	416	73	57	10	37	6	52	9	8	2	2·2
Wardha ...	559	387	69	60	12	44	7	53	10	9	2	2 3
Balaghat ...	340	221	65	45	14	31	9	32	9	11	3	3 2
Jabalpur ...	1,996	1,660	84	144	7	109	5	69	3	14	1	1 5
Sagar ..	1,292	842	65	158	12	161	13	121	9	10	1	2 2
Damoh ..	438	303	69	59	14	28	6	37	9	11	2	2 7
Seoni ...	535	351	66	83	16	50	9	43	8	8	1	2·4
Mandla ...	375	329	88	14	4	12	3	15	4	5	1	1·8
Hoshangabad .	1,104	700	63	161	15	87	8	126	11	30	3	2 9
Betul ...	483	304	63	67	14	41	8	59	13	12	2	2·8
Narsinghpur ...	1,174	859	75	114	9	59	5	122	10	20	1	2·2
Nimar ...	905	659	73	113	13	61	7	59	6	13	1	2·1
Chhindwara ...	447	302	68	39	9	42	9	50	11	14	3	2·9
Raipur ..	857	667	77	60	8	40	5	78	9	12	1	2·1
Sambalpur ...	670	587	87	31	5	15	2	25	4	12	2	1·8
Bilaspur ..	609	366	60	87	14	44	7	83	14	29	5	3·7
Upper Godavari.	192	115	60	13	6	17	9	37	19	10	6	5·3
Total. 1872...	14,845	10,717	72	1,527	10	1,056	7	1,256	9	289	2	2·4
Total. 1871	12,510	8,759	70	1,405	11	921	7	1,102	9	363	3	2 6

It will be seen that 1,527 cases or 10 per cent. of the total disposed of, were not decided till the 2nd day, and that 1,056 or 7 per cent. were deferred till the 3rd or 4th day. These general proportions, seem to the Judicial Commissioner high, but they were considerably exceeded in certain districts. Balaghat and Seoni show large proportions delayed for both periods; Damoh, Hoshangabad, Betul and Bilaspur also show large proportions of cases not decided till the 2nd

day, and Nagpur, Sagar, Chhindwara and Upper Godavari show large proportions not decided till the 3rd or 4th day. In the case of Nagpur and Sagar with their large head-quarter towns and Cantonments, the high proportions decided on the 3rd or 4th day may be largely due to the frequent possibility of obtaining requisite additional evidence within 4 days. But in respect of all the other districts mentioned there seems to be a want of due punctuality in taking up Police cases, and the Magistracy have again been addressed on this important subject. The only districts which show satisfactorily small proportions of cases delayed till the 2nd, 3rd or 4th day are Chanda, Jabalpur, Mandla and Sambulpur. The districts of Narsinghpur and Raipur also show comparatively well.

Turning now to the second cause of high durations in Police cases, we find that 1,545 cases or 11 per cent. of the total disposed of were delayed beyond 4 days, presumably because further evidence was requisite. The districts in which this proportion was largely exceeded were Betul, Bilaspur and Upper Godavari. It is probable that the Police in these districts might have sent in cases complete more generally than they did. On the other hand the proportion of cases in which further evidence was required was remarkably low in the Jabalpur, Mandla, Nimar and Sambalpur districts. The large proportion of petty nuisance cases in the Jabalpur district probably explains the result there, and the Sambalpur result may be due to the high proportion of confessions noticed in that district.

Only 289 cases were delayed beyond 15 days. These cases are not the chief cause of the high average duration of Police cases. Even if they be omitted from the calculation, the average duration of the remaining Police cases would be 2 days. In the Chanda, Bilaspur and Upper Godavari districts the proportion of these longest cases largely exceeded the general average. In Chanda and Upper Godavari this is probably due chiefly to the distance of the Courts from large portions of the districts. Regarding the Bilaspur result the Deputy Commissioner writes :—

(*Para.* 32.) * * "All inordinate delays occurred in the first 3 quarters of the year. I am of opinion that the plan I have adopted of examining all the cases that are decided within the month, and pointing out to each officer any undue detention of witnesses, or unnecessary delay in disposing of any case, has proved beneficial."

Cases on complaint.

95. 13,167 cases were disposed by the Magistrates on complaint with an average duration of 9 days the same as in 1871. The highest district averages were about 12 days in Balaghat, Narsinghpur and Bilaspur, and the lowest about 7 days in Nagpur, Jabalpur and Sagar. The general results in this class of case seem sufficiently uniform and are satisfactory.

In Courts of Session

96. The average durations of cases tried by the several Courts of Session (reckoned from the date of commitment) compare as follows with the figures of 1871.

	1871.	1872.
Nagpur Division	37	27
Jabalpur "	38	56
Narbada "	79	61·5
Chhattisgarh "	49	68·4
Total ...	51 7	53·7

There has been some reduction in the high average duration noticed last year in the Narbada division, but the duration is still too high. The Commissioner of the Chhattisgarh division explains that the increase there occurred dur-

ing the first half of the year, and that the average duration during the last six months of the year was only 32 days The Commissioner, Jabalpur, noticing his own durations, remarks upon the difficulty a Commissioner with heavy Civil and Administrative work, and in a division where it is difficult to get about, finds in keeping his Sessions durations low; and his pleas on this head are, no doubt, more or less valid in every Sessions division.

In Courts of Deputy Commissioner as Courts of Session.

97. The average duration of cases tried by Deputy Commissioners as Courts of Session under Section 445B Code of Criminal Procedure has increased from 13·7 to 14·5 days. Last year a hope was expressed that the duration of these cases might decrease, because generally the committing Magistrate and the Deputy Commissioner hold Court at the same place, and usually there should be no greater delay after commitment of these cases than is requisite to secure the attendance of assessors. The average duration, however, has slightly increased notwithstanding a decrease from 453 to 396 in the number of accused persons dealt with.

The districts which show the highest durations are—

Nagpur	..	...	29 days.
Hoshangabad	..	...	29 „
Betul	..	...	20 „
Nimar	..	..	20 „
Chhindwara	..	...	20 „
Upper Godavari	...	..	20 „

Under the new Code of Criminal Procedure now in force, Deputy Commissioners no longer try cases as Courts of Session.

I have the honor to be,

Sir,

Your most obedient servant,

T. DRYSDALE,

Registrar.

IMPERIAL STATEMENTS.

F L O—25—197—720

JUDICIAL STATEMENT B1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1872.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total Number of Judges. European: Commissioned.	Total Number of Judges. European: Military officers.	Total Number of Judges. European: Uncovenanted.	Total Number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Net receipts from stamps.	Executive or other functions exercised by the same officer	Average number of days in the year devoted to Judicial work	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Number of cases decided during the year. Civil.	Number of cases decided during the year. Revenue.	Number of cases decided during the year. Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Local and Subordinate Magistrates exercising criminal powers only.	Paid ...	2	3,345	1,27,334	2	A single Judge presides over each Court; Jury or Assessors not employed	Each Judge had powers of a Subordinate Magistrate of the 1st or 2nd Class under the Criminal Procedure Code. One Judge had power also to hold the preliminary enquiry into cases triable by Courts of Session.		1	1	..	6,000		Rs. [illegible]	Rs. [illegible]	The paid Judges are Civil Surgeons. One of them is also general Assistant to the Deputy Commissioner..	and general holidays.	in the Courts of the Central Provinces.	176	..	.	...
	Unpaid ..	44	546	45,437	64			..	..	1	63								7,680	..		..
Local and Subordinate Magistrates, exercising Criminal Civil and Revenue powers.	Paid ..	51	1,692	164,166	56	Do.	Each Judge had on the Criminal side powers of a Subordinate Magistrate of the 1st or 2nd Class, under the Criminal Procedure Code, and on the Civil side powers to hear suits of value up to Rs 50, 100. 300, 500 1,000, according to his powers under the Central Provinces' Courts' Act (XIV. of 1863), and had on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV. of 1863).	5	..	2	49	4,714	1,819				These officers are Tahsildars (Sub Collectors), and Extra-Assistant and Assistant Commissioners. They are employed generally in the Administrative work of the districts to which they are attached.			9,731	24,864		..

Small Cause Courts confined to proper functions.	Paid ...	1	834	246,576	2	Ditto	One Judge had power to hear suits up to Rs 1,000 under Act XI. of 1865, and the second Judge is Registrar of his Court, who, under the same Act, has been invested with power to hear suits up to Rs. 20.	..	1	..	1	10,400	3,060			...	286 days, excluding Sundays	43 Pleaders practise	..	4,935	..	..
Do. do. exercising also Criminal powers.	Paid ...	4	385	82,319	5	Ditto.	One of these Judges under Act XI. of 1865, and three under Acts XI of 1865 and XXII. of 1864, had power to hear suits up to Rs. 500 in value. Four of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs. 20.	..	4	..	1	7,698	1,920			Three of these Judges are Cantonment Magistrates.			994	5,710	...	..
Do. exercising also ordinary Criminal and Revenue powers.	Paid ...	1	10	11,128	1	Ditto	This Judge had on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs 500 in value, and of a nature cognizable by Courts of Small Causes. He had further been invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction also is confined to Cantonment limits.	..	..	..	..	13,534	..			Cantonment Magistrate (Sagar).			341	672	..	..
Naib-Tahsildars, exercising only Civil powers.	Paid ...	9	997	1,20,203	9	Ditto.	Each Judge can hear suits up to Rs. 50 in value under Section 6, Act XIV. of 1865, "The Central Provinces' Courts' Act."	..	...	..	9	..	510			They assist Tahsildars in the general administration of the Sub-Division of District (Tahsil) to which they are posted.			58	8,660	..	..
Benches of Magistrates ..	Unpaid .	1	3,734	6,39 341	6	Each board consists of two Magistrates; Jury or Assessors not employed.	Each Board exercises the full powers of a Magistrate under the Criminal Procedure Code.	..	..	..	6	..	..			Ditto.			311	..	...	..

JUDICIAL STATEMENT B. 1.—(*Continued*).

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same officer.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of full powers, exercising only Criminal powers.	Paid ...	3	1,245	2,13,647	3	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Criminal Procedure Code.	..	2	1	...	No special salary for Judicial duty.		Rs 2,500	Rs 500	The paid Judges are the Superintendent of the Thaggi School of Industry Jabalpur, a Civil Surgeon and an Assistant Cotton Commissioner.	23½ days, excluding Sundays and general holidays.	43 Pleaders practise in the Courts of the Central Provinces.	7	..	..	..
	Unpaid.	3	2,960	4,38,912	4			..	..	..	4								1,234	..	..	..
Do. exercising also Revenue and Civil powers.	Paid...	20	4,373	4,19,888	30	Do.	In addition to full Magisterial powers as above each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	6	2	6	16	6,554	4,518	Rupees.	Rupees.	These officers are Assistant and Extra-Assistant Commissioners, and aid Deputy Commissioners in the general administration of the Districts to which they are posted.			6,359	26,911	..	...
Magistrates of Districts exercising also Revenue and Civil powers.	Paid...	19	4,469	4,16,905	19	Do. except in cases tried by Deputy Commissioners as Sessions Sub-Magistrates. Also 18 of them were invested with special powers under Section 445A, of the Criminal Procedure Code, to try all offences not punishable with death. On the Civil side they can try suits up to any value, and hear appeals from the decisions of the Subordinate Civil Courts of their districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	In addition to full powers as above, these officers hear appeals from convictions by Courts, under their special powers, when two assessors assist in trying each defended case.	3	12	4	...	13,634	..	...	..	These officers are Deputy Commissioners invested with the administrative charge of districts.	...	..	1,466	275	..	2,116

Commissioners' Courts.	Paid...	4	21,412	20,13,389	4	A single Judge presides over each tribunal. He is assisted by two Assessors when trying defended Sessions cases (Criminal). These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates with full powers. On the Civil side, Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865, hear appeals in all suits in which the value is Rs. 5,000 or more, and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain suits under Act X of 1859 (the Rent Act). They have also special original jurisdiction under Act IV of 1869, the Indian Divorce Act, and Act X. of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division and hear appeals from orders of Collectors under the Rent Law.	2	2	..	..	31,398	..			Commissioners have administrative charge of Divisions consisting of several Districts.			80	..	..	1,632
Court of the Judicial Commissioner.	Paid...	1	85,648	80,53,556	1	A single Judge presides over this Court unassisted by either Jury or Assessors. The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases, hearing on the Criminal side appeals from the orders of the Courts of Session and of Deputy Commissioners in cases tried by them as Courts of Session, and on the Civil side special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners. In Criminal cases the Judicial Commissioner has also the powers as a Court of reference and revision given by the Code of Criminal Procedure to the Sudder Court.	..	1	..	...	38,000	...	..	..	..	286 days in the Central Provinces.	43 Pleaders practise in the Courts of the excluding Sundays and general Holidays.		332

ABSTRACT.*

Number of Criminal Courts.		*Number of Civil Courts.*	
Local and Subordinate Magistrates	129	Small Cause Courts	6
Magistrates with full powers	32	Courts of the Naib Tehsildar	9
Benches of Magistrates	3	Courts of the Tehsildar	38
Magistrates of Districts	19	Courts of the Assistant Commissioner	23
Courts of Session	4	Courts of the Deputy Commissioner	19
Court of the Judicial Commissioner	1	Courts of the Commissioner	4
		Court of the Judicial Commissioner	1
Total	188	Total ..	100

*Under Administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judge, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal and as Civil Judges at the close of the year.

JUDICIAL STATEMENT B 2.

STATEMENT of Offences reported and of persons tried, convicted, and acquitted for each offence in the Central Provinces in the year 1872.

Description of Offences	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year	Acquitted or discharged.	Convicted	Remaining under trial.	Remarks
Class I							
OFFENCES AGAINST THE STATE, THE PUBLIC, AND JUSTICE.							
Against the State.							
1. Waging, or conspiring to wage war against the Queen	121, 121A		...	...	..		
2. Collecting arms, or concealing design to wage war	122, 123		...	...	..		
3. Assaulting Governor General, &c., with intent to compel or restrain the exercise of any lawful power	124				...	..	
4 Exciting disaffection or circulating false rumours	124A and 505				...	..	
5 War or depredation on allied powers	125 to 127		...		...		
6. Abetment of mutiny	131, 132	1	4	4			
7 Other offences relating to the Army and Navy	133 to 138	..	...				
Relating to Coin, Stamps, Weights and Measures							
8 Counterfeiting coin	231 to 238	2	8	2	6		
9 Diminishing or altering coin	246 to 249	5	4	2	2		
10 Passing or possessing bad or altered coin	239 to 243 and 250 to 254	87	102	53	47	2	
11. Counterfeiting Government Stamps, or possessing or making instrument for the purpose	255 to 257	..					

12	Selling or possessing counterfeit Government stamps	258, 259	..					
13	Using as genuine counterfeit stamps, or effacing or altering same	260 to 263						
14	Making, using, or possessing false weights or measures	264 to 267	104	156	33	123		
	Against Public Justice							
15	Personating Public Servant or Soldier	140, 170, 171	32	43	8	34		1 escaped.
16	Concealing design to commit offence	118, 120		2	1	1		
17	Omitting to give information of offence, or giving false information	176, 177, 181, 182, 202, 203	146	191	56	134	1	
18	False information punishable under special revenue laws	Act XXI of 1856, Secs. 66, and 73, Act XXXVI of 1855, Sec 7						
19	Causing disappearance of evidence	201, 204	5	12	7	4		1 died.
20	Resisting, obstructing, threatening, or omitting to assist Public Servant	183 to 187, 189, 190	79	136	50	85	1	
21	Resisting Abkari Officers	Act XXI of 1856, Secs 64 and 73						
22	Resisting Public Officers, acting under the Arms' Act	Act XXXI of 1860, Sec 34						
23	Disobedience of lawful order, causing injury	188	49	64	11	53		
24	Intentional insult or interruption in Judicial proceedings	228	23	26		26		
25	Harbouring an offender	212, 216	7	17	15	2		
26	Taking or offering gift to screen offender	213 to 215	27	30	8	22		
27	Resistance to, or rescue from lawful apprehension	224, 225	82	91	11	77		1 died 2 transferred.
28	Escape from lawful custody or transportation	224, 225A, 226	44	47	7	39		1 transferred.
29	Aiding escape of State prisoner	130						
30	Absconding from, avoiding, or disobeying summons, notice, or order to attend or produce	172 to 175	126	220	29	191		
31	Refusing to take oath, or answer or sign	178 to 180	3	4		4		
32	Violation of condition of remission of punishment	227						
33	Failure to attend as Juror or Assessor	Cr P C Section	1	1		1		
	By Public Servants							
34	Abetment or concealment of offence by Public Servant	116, 119	7	13	6	6		1 escaped
35	Taking valuable thing by, or to influence Public Servant	161 to 165 (see Act XXXI of 1867, Section 2)	41	62	23	35	3	1 escaped
36	Public Servant acting illegally to injure any person	166, 167	3	3		3		

JUDICIAL STATEMENT B 2.—*Continued.*

Description of Offences	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted	Remaining under trial.	Remarks.
37. Public Servant unlawfully trading	168, 169						
38 Ditto fraudulently defeating punishment or forfeiture.	217, 218	4	8	3	4	1	
39 Ditto wilfully making order or decision contrary to law	219, 220	2	2	1	1		
40. Ditto intentionally omitting to apprehend or permitting to escape	128, 221, 222	2	2		2		
41. Ditto negligently suffering escape	129, 223	26	40	6	34		
42. Breach of Police Act by Police officers	Act V of 1861	55	66	6	58	2	
43. Do. Abkari or Opium Act by Abkari or Police Officers	Act XXI. of 1865, Secs. 65 67 to 70, 73, and Act XIII. of 1857, Secs. 23, 28	1	1		1	..	
44. Do. Salt Customs' Acts by Customs, Police, or Land Revenue Officers	Act XIV. of 1843, Sec. 11, and Act XXXVI. of 1855, Secs. 6, 7	2	3	2	1	..	
45. Fraudulent breach of the Indian Post Office Act by Post Office Officials	Act XIV. of 1866, Secs 48 to 52, and 59	2	2		2		
False Evidence, False Complaints or Claims, and Forgery.							
46. Giving false evidence	193 to 196	46	83	40	37	6	
47. Fabricating false evidence	193 to 196	6	11	10	1		
48. Making, issuing, or using false Statement or Certificate	197 to 200	4	4	4			
49 False personation in Judicial proceedings	205, 229	1	1		1		
50. Fraudulent claim to, or concealment of property, or suffering of decree	206 to 208 and 421 to 424	7	12	6	6		
51 False claim in Court of Justice	209, 210	14	20	11	7	2	
52. False charge of offence	211	17	17	8	9		
53. Forgery or fraudulently using or possessing forged document	465 to 469 and 471 to 477	16	39	20	14	4	1 died
54. Making or using false trade or property marks	482 to 489 and Act VII. of 1855, Sec. 6, Sub-rule 21	5	1	1		..	

	Public Nuisances							
55	Public Nuisances under the Penal Code	269 to 294A	286	490	78	411		1 died
56	Nuisances under Police or Municipal or Cantonment Acts	Act V of 1861, Secs. 32, 34, Act XVIII of 1864, Sec 15, Act XXII of 1864, Sec 19 (except clauses 7, 26, 29 30 31, and 33, Act XV of 1867, Sec 18)	3217	3,778	289	3,485		4 escaped
	Relating to the Public Peace							
57	Rioting or unlawful assembly	143 to 153, 157 and 158	25	218	99	145	4	
58	Omitting to inform of, or prevent riot	154 to 156						
59	Affray	160	187	827	182	645		
60	Offences relating to religion	295 to 298	7	19	11	8		
		TOTAL OFFENCES UNDER CLASS I	4,802	6,910	1,103	5 767	26	4 died 7 escaped and 3 transferred.
	Class II							
	OFFENCES AGAINST THE PERSON—SERIOUS.							
61	Murder by Thugs	302, 303						
62	Do Dacoits	302 303, and 396		1	1			
63	Do Robbers	302, 303	22	31	22	9		
64	Murder by Poison for sake of robbery	302, 303	4	7	5	2		
65	Murder by Poison from other motives							
66	Do other from motives connected with women	302, 303	22	52	39	6	7	
67	Do other from other motives		35	88	55	22	6	1 died, 2 transferred.
68	Attempt to murder	307	12	20	11	8	1	1 Queen's evidence
69	Culpable homicide	304, 308	23	62	40	22		
70	Causing death or grievous hurt by rash or negligent act	304A, 338	8	9		9		
71	Abetment of suicide	305, 306	3	..				
72	Attempt to commit suicide	309	137	162	69	91	1	1 died
73	Causing miscarriage	312, 316	7	12	10	2		
74	Exposure of infant or concealment of birth	317, 318	30	30	14	16		
75.	Grievous hurt	325, 326	92	169	60	107	1	1 escaped
76	Do on grave and sudden provocation	335	26	13	4	9		

JUDICIAL STATEMENT B 2.—*Continued.*

	Description of Offences.	Section of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year.	Acquitted or discharged	Convicted.	Remaining under trial.	Remarks.
77	Hurt by dangerous weapons	324	98	100	41	57	1	1 died
78	Administering stupefying drugs	328	10	9	5	1	2	1 transferred
79.	Causing hurt to extort property or confession	327, 329 to 331	6	17	17			
80	Do. Public servant	332, 333	5	20	5	15		6 escaped
81	Wrongful confinement after issue of writ for liberation or in secret	345, 346	1	..		..		
82	Do to extort property or confession	347, 348	25	31	19	12		
83	Assault of public servant, or to outrage modesty or dishonour a person, or in attempt to commit theft or wrongful confinement	353 to 357	154	215	90	124	1	
84	Criminal intimidation punishable with more than two years' imprisonment	506	9	14	9	5		
85	Buying or disposing of any person as a slave	370, 371		..	..	..		
86.	Kidnapping or abduction	363 to 365 and 367 to 369	16	48	40	6		1 died, 1 transferred
87	Abducting a woman to compel marriage or for defilement	366	2	18	17	..	1	
88	Selling, letting, or unlawfully obtaining a woman for purposes of prostitution	372, 373	3	7	6	1		
89	Enticing a woman with Criminal intent	498	155	193	139	49	2	2 transfered, 1 escaped
90	Fraudulent and unlawful marriages	493 to 496	23	42	42	..		
91	Adultery	497	105	115	96	21		1 escaped.
92	Rape	376	33	50	38	12		
93	Unnatural offences	377	8	6	3	5		
	Minor offences against the person							
94	Hurt	323, 334	425	844	331	507	6	
95	Rash or negligent act, and hurt caused thereby	336, 337	15	18	7	11		

96	Wrongful restraint	341	166	270	103	115	2	
97	Do. confinement	342 to 344	91	157	88	96	3	
98	Assault or use of Criminal force	352 and 358, Cr P C Sec	8,090	13,971	8,366	5,566	30	9 escaped
99	Criminal intimidation or insult	504, 506 to 509	1,015	1,706	846	855	1	4 escaped.
100	Causing annoyance in state of intoxication	510	10	14	..	14		
101	Unlawful compulsion of labour	374	14	22	14	8		
102	Defamation	500 to 502	335	513	311	173	29	
		TOTAL OFFENCES UNDER CLASS II	11,235	19,047	10,963	7,956	96	4 died, 22 escaped, 6 tranferred

Class III

OFFENCES AGAINST PROPERTY WITH VIOLENCE

103	Dacoity	395, 397, 398	23	136	48	45	35	8 transferred.
104	Preparation or assembly for dacoity	399, 402	.	..	..			
105	Robbery with hurt or deadly weapon — By poison or stupefying drugs	394, 397			..			
106	Robbery with hurt or deadly weapon — By other means	398	9	25	7	15		2 transferred, 1 escaped
107	Robbery — In a dwelling house		9	15	9	6		
108	Robbery — On the highway	392, 393	23	34	18	16		
109	Robbery — Elsewhere		27	49	29	20		
110	Extortion	384, 389	88	130	73	55	2	
111	House-breaking or house-trespass in order to commit theft	451, 454, 457	7,950	2,853	736	2,076	28	1 died, 12 transferred
112	Do do do an offence other than theft	449 to 451, 454 and 457	58	54	15	39		
113	Theft or mischief or house breaking or house-trespass, with preparation for or attempt at hurt	382, 440, 452, 455 and 458 to 460	12	22	2	20		
114	House-breaking or lurking house-trespass	453, 456	232	207	34	172		1 escaped
	Without violence							
115	Theft — Of cattle	379 to 381	1,412	1,674	433	1,166	11	1 died, 60 transferred, 3 escaped
116	Theft — Ordinary		13,976	7,796	1,756	5,959	43	1 died, 32 transferred, 5 escaped
117	Dishonestly receiving stolen property	411 to 414	437	731	215	495	8	13 transferred
118	Dishonest misappropriation of property	403 404	216	297	87	207	3	
119	Criminal breach of trust	406 to 409	438	488	211	258	19	1 died, 8 transferred
120	Cheating	417 to 420	228	308	125	172	6	5 escaped

JUDICIAL STATEMENT B 2.—*Continued.*

	Description of Offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year.	Acquitted or discharged	Convicted.	Remaining under trial	Remarks.
	Malicious Offences							
121	Mischief ordinary	426, 427 and 430 to 433	220	390	225	164	1	
122.	Do. by poisoning or killing animals	428, 429	26	35	12	23		
123.	Do. by destroying land-marks	434	23	23	13	14	1	
124.	Do. serious by fire	435, 436 and 438	52	34	24	8	2	
125.	Do. to Vessels	437, 439	..	..				
126	Criminal trespass or house-trespass	447, 448	881	1,397	547	844	6	
127	Breaking opened closed receptacle	461, 462	52	9	2	7		
	Total, Offences under Class III		26,392	16,712	4,621	11,781	156	4 died, 15 escaped, 135 transferred.
	Class IV							
	OFFENCES NOT INCLUDED IN THE ABOVE CLASSES							
	Other offences against the Indian Penal or Criminal Procedure Codes							
128	Belonging to a gang of Thugs	311	..	..				
129.	Belonging to a gang of Dacoits	400	1	..		..		
130	Belonging to a gang of Thieves	401	7	96	16	80		
131.	Criminal breaches of contract of service	490 to 492	18	17	6	11		
132.	Apprehended breaches of the peace separately inquired into	Cr. P. C. Secs 292 to 288	10	71	8	41	22	
133	Vagrancy without ostensible means of livelihood	Do. " 295	155	199	99	99	1	
134	Bad habit and repute	Do " 296, 297	160	191	49	141		1 escaped.
	Total Offences under Class IV.		364	574	178	372	23	1 escaped.

OTHER OFFENCES AGAINST SPECIAL LAWS.

Breaches of laws relating to—

135	Spirits and drugs	Act XXI of 1856	506	707	164	531	12	
136	Opium	Act XXI of 1856, and Act XIII of 1857	173	230	54	176		
137	Salt and saltpetre	Acts XIV of 1843, XXXVI of 1855, and XIX. of 1862 as extended by Act VII of 1864, Act XXXI of 1861, amended by Act XXXIII of 1867, and Act XXV of 1869	435	954	42	912		
138	Stamps	Act XVIII of 1869	108	209	41	161	2	2 died, 3 escaped
139.	Paper Currency	Act XIX of 1861	..	..	..	..		
140	Post Office	Act XIV of 1866	8	8	1	7		
141	Electric Telegraph	Act VIII of 1860		..	..	..		
142	Contagious diseases	Act XXII of 1864, Sec 19 Clause 7, Act XIV of 1868	47	58	2	56		
143	Municipalities and Cantonments	Act XVIII of 1864, (amended by Act XXII of 1865), Act XV of 1867, and Act XXII of 1864	29	31	3	28		
144	Prisons (only offences and cases tried by a Magistrate)	Act XXVI of 1870, Secs. 45, 49 and 51	6	10	4	6		
145	Forests	Act VIII of 1865	226	694	111	583		
146	Railways	Act XVIII of 1854, (amended by Acts XII of 1860, and XIII of 1870)	126	173	22	150		1 died
147	Stage carriages	Act XVI of 1861			...			
148	The Press	Act XXV of 1867, Secs 12 to 16		..	.	..		
149	Gamblings	Act III of 1867	73	527	93	410	24	
150	Willful neglect of Magistrates's order to maintain Lunatic	Act XXVI of 1858, Sec. 5	..	..	..	.		
151	Cattle trespass	Act I of 1871	324	631	305	324	2	
152	Canon, arms, and ammunition	Act XXXI of 1860	10	12		12		
153	Apprentices	Act XIX of 1850, Secs. 13, 15	..	..	..	..		

JUDICIAL STATEMENT B 2.—*Continued.*

Description of Offences.	Sections of the Indian Penal Code or other Law applicable	Number of offences reported during the year	Number of persons under trial during the year	Acquitted or discharged	Convicted	Remaining under trial	Remarks.		
154. Certain disputes between workmen on railways and other public works and their employers	Act IX of 1861, Sec. 8								
155 Indian Companies	Act X of 1866								
156. Registration	Act XX. of 1866								
157 Purchase of soldiers' necessaries ...	Mutiny Act and Act VII. of 1867	2	2	2					
158 Pandhri .	Act XIV of 1867, Sec 3 Clause 3		.						
159 Income Tax ..	Act XVI of 1870		.						
160 Volunteers .	Act XX of 1869, Sec 29		..						
151 Europeans vagrants .	Act XXI of 1869, Secs 14, 15, 19 to 23 and 25								
162 Acquisition of land .	Act X. of 1870, Sec. 52								
163. Indian Weights	Act XI of 1870, Sec. 26								
Total offences against Special Laws		2,075	4,246	844	3,356	40	3 died, 3 escaped		
							Died	escaped	transferred
Total Offences under .	Class I	4,802	6,910	1,101	5,767	26	4	7	3
	,, II	11,235	19,047	10,963	7,950	96	4	22	6
	,, III	26,392	16,712	4,621	11,781	156	4	15	135
	,, IV	364	574	178	372	23	0	1	0
	Against Special Laws	2,075	4,246	844	3,356	40	3	3	0
Grand Total		44,868	47,489	17,709	29,232	341	15	48	144

JUDICIAL STATEMENT B 3.—(*Criminal.*)

STATEMENT showing the general result of Criminal trials in the Tribunals of various classes in the Central Provinces in the year 1872.

CLASS OF TRIBUNALS.	Number of persons dealt with.							Persons disposed of.					Remaining at end of year.	Average number of days during which each case lasted.	Number of witnesses who attended.
	Remaining at the end of last year.	Brought to trial during present year.				Received by transfer.	Total.	Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped, or transferred.			
		Under arrest by Police.	Upon warrants.	Upon summons.	Voluntarily.										
Village Officers ...	..	...	..	..	..	..	..	..	...	..	..	..	..	..	..
Unpaid Magistrates ...	33	4,234	1,606	10,163	148	39	16,223	3,775	3,053	9,355	5	13	24	5·7	26,789
Local and Subordinate paid Magistrates ...	85	9,237	766	7,065	194	108	17,453	3,240	2,588	11,427	52	18	128	5·7	34,791
Full power paid Magistrate exercising Jurisdiction throughout the District ..	88	7,804	1,193	2,237	66	61	11,449	2,560	853	7,388	441	76	131	5·3	27,842
Chief Magistrates of Districts ..	8	1,899	152	201	40	41	2,341	1,395	101	679	26	99	41	4·8	2,689
Total Magistracy ... 1872 ...	212	23,174	3,717	19,666	448	249	47,466	10,968	6,595	28,849	524	206	324	5·5	92,111
Total Magistracy ... 1871 ...	187	20,533	3,893	20,076	292	158	45,139	11,578	6,557	26,036	640	116	212	5·9	80,159
Sessions Courts. Deputy Commissioners as Courts of Session under Sec. 445 B. C. of Cr. P. ..	13	383	...	...	..	...	396	..	88	302	..	..	6	14·5	1,427
Commissioners of Divisions 1871 ...	10	445	...	..	..	..	453	..	129	297	..	1	26	13·7	1,534
Commissioners of Divisions ...	28	146	..	..	..	..	166	..	58	81	15	1	11	53·7	917
High Court 1871 ..	20	190	...	.	...	—	210	1	55	101	22	3	28	51·7	697
High Court ...	..	..	..	.	..	..	...	..	..	..	..	..	..	..	..
Grand Total. 1872..	245	23,703	3,717	19,666	448	249	48,028	10,968	6,741	29,232	539	207	341	5·7	94,455
Grand Total. 1871..	217	21,166	3,893	20,076	292	158	45,802	11,579	6,741	26,434	662	120	266	6·1	82,390

JUDICIAL STATEMENT B 4.—*(Criminal.)*

STATEMENT showing the Punishments inflicted by the various Criminal Tribunals in the Central Provinces in the year 1872

CLASS OF TRIBUNALS.	Persons sentenced to												Persons ordered to find or give			REMARKS.
	Death	Transportation		Penal servitude	Imprisonment			Forfeiture of property	Fine		Whipping		Sureties of the peace	Recognizance	Sureties for good behaviour	
		For life	For a term		Rigorous		Simple.		With imprisonment	Without imprisonment	In addition to other punishment	In lieu of other punishment				
					With solitary confinement	Without solitary confinement										
Village officers																
Unpaid Magistrates					15	1,339	89		246	7,531	77	510			5	
Subordinate and local paid Magistrates					1	2,630	70	17	711	6,610	164	1,516	13	1	4	
Full power Magistrates of general jurisdiction					174	1,851	161	15	405	4,148	187	928	10	17	179	
Chief Magistrates of Districts					116	636	46		105	265	71	229	26	4	51	
Sessions Courts	18	21	1		31	316	3		65	23	1	16	5	5		
High Court																
Total 1872	18	21	1		337	6,772	369	32	1,532	18,577	500	3,199	54	27	239	
Total 1871	22	14	6		177	5,112	327	43	1,389	17,616	275	2,801	22	14	66	

JUDICIAL STATEMENT B 5.—(*Criminal*).

Statement showing the results of Appeal and Revision in Criminal cases in the Central Provinces in the year 1872.

Tribunals.		Number of appellants or persons applying for revision under Section 404, Code of Criminal Procedure.	Number of persons.							Remarks.
			Appeals or applications rejected.	Sentences confirmed.	Sentences modified.	Sentences reversed.	Proceedings quashed.	Further enquiry or evidence ordered.	Pending	
Magistrates of Districts...	From unpaid Magistrates	418	9	200	56	144	..	1	9	
	From paid Magistrates ..	578	15	334	76	146	5	1	2	
Courts of Session ..	From unpaid Magistrates	27	..	15	7	4	..	1	1	
	From paid Magistrates ..	*769	82	443	90	127	1	28	18	* 8 referred to High Court for revision.
Sadar Court, *i. e.*, Court of Judicial Commissioner..	Appeals from Courts of Session and Magistrates of districts in the exercise of powers under Section 445A, Code of Criminal Procedure	218	2	99	25	91	.	8	1	
	As a Court of Reference...	20	..	14	1	3	...	4	2	
	As a Court of Revision..	79	3	19	9	48	...	10	..	
Total	1872	*2,109	111	1,124	264	562	6	53	35	
	1871	1,925	124	1,147	200	411	20	27	23	

JUDICIAL STATEMENT B 11.—(*Criminal*).

Statement showing use of Juries and Assessors in the Courts of the Central Provinces in the year 1872.

Classes of Courts in which Juries or Assessors are employed distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications	Number of cases tried by Jury	Number of cases with Assessors.	Jury trials.			Assessor trials.		Note showing in what classes of cases Juries and Assessors have been principally employed
				Verdict in favor of the prosecutor or plaintiff.	Verdict in favor of the accused or defendant	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors	Number of cases in which Judges differed from Assessors	
CRIMINAL COURTS.									
Courts of Deputy Commissioners as Courts of Session under Section 445 B, Act VIII. of 1869 ..	Two Assessors in each case The prescribed legal qualifications are education, character, and age. ..	..	188	—		..	174	14	Criminal trials by or as Courts of Session.
Sessions Courts of Commissioner ..	ditto	..	80	..		..	73	7	
Total... 1872	..	..	268	..	..	..	247	21	
Total... 1871	..	..	262	...	.		233	29	

PROVINCIAL STATEMENTS.

K—C—30—255—360

Statement exhibiting details of the Criminal work of the Magistrates in

District.	Number of persons dealt with.							Persons disposed of.						Remaining at end of year.			
		Brought to trial during present year.												Since the month of			
	Remaining at end of last year.	Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.	Received by transfer.	Total.	Discharged without trial.	Acquitted.	Convicted.	Committed.	Died, escaped, or transferred.	Total.	Over two months.	November.	December.	Total.
Nagpur ..	11	1,992	354	2,872	..	22	5,251	1,420	868	2,903	35	5	5,231	1	1	18	20
Chanda ..	6	1 498	146	457	3	3	2 113	445	270	1 367	16	6	2 104	..	..	9	9
Bhandara ..	18	928	555	923	16	10	2 450	764	306	1 334	18	16	2 438	..	..	12	12
Wardha ...	9	896	192	1 114	33	10	2 254	456	421	1 345	6	3	2 231	1	..	22	23
Balaghat ..	10	589	93	256	16	7	971	269	69	599	21	2	960	..	..	11	11
Jabalpur ..	2	3 155	338	1 667	89	34	5 285	840	617	3 726	53	38	5 274	..	...	11	11
Sagar ..	14	1 838	446	2 065	63	31	4 457	858	792	2 737	29	38	4 454	1	.	2	3
Damoh ..	1	549	97	594	37	44	1 322	204	208	880	21	6	1 319	3	..	..	3
Seoni ..	29	814	186	1 669	83	42	2 823	861	468	1 388	30	2	2 749	..	...	74	74
Mandla ..	..	630	58	175	9	19	891	265	86	521	12	6	890	..	...	1	1
Hoshangabad ..	11	1 750	107	2 238	11	..	4 117	1 525	400	2 129	40	6	4 100	..	6	11	17
Betul ..	7	756	64	553	...	..	1 380	278	191	894	11	5	1 379	..	..	1	1
Nimar ...	17	1 344	197	1 096	..	..	2 654	851	313	1 265	111	37	2 577	..	36	41	77
Narsinghpur ..	7	1 627	270	1 328	27	18	3 277	520	532	2 178	38	7	3 275	..	...	2	2
Chhindwara ..	19	827	70	431	10	2	1 359	231	233	869	10	2	1 345	..	...	14	14
Raipur ..	9	1 397	252	1 197	..	..	2 855	390	409	2 017	15	13	2 844	..	1	10	11
Sambalpur ..	19	1 087	59	296	..	..	1 461	236	44	1 133	24	12	1 449	4	..	8	12
Bilaspur ...	15	1 037	171	600	..	7	1 830	447	262	1 106	12	2	1 829	..	..	1	1
Upper Godavari .	8	460	62	135	51	...	716	108	106	458	22	..	694	3	1	18	22
Total ... 1872	212	23 174	3 717	19 666	448	249	47 466	10 968	6 595	28 849	524	206	47 142	13	45	266	324
Total ... 1871	187	20 538	3 893	20 076	292	158	45 139	11 578	6 557	26 036	640	116	44 927	11	8	193	212

MENT No. II

the several districts of the Central Provinces during the year 1872.

Cases.											Miscellaneous cases and proceedings.					
Inquiries.						Trials.										
In cases triable by the Court of Session.	In cases referred by Magistrate for preliminary inquiry, or in cases which Subordinate Magistrate is not competent to try.	In cases usually tried by Magistrates upon summons.	In cases usually tried by Magistrates upon warrant.	Pending.	Total.	In cases usually tried by Magistrates upon summons.	In cases usually tried by Magistrates upon warrant.	Submitted by Subordinate Magistrates for more severe punishment.	Pending.	Total.	Local nuisances.	Maintenance of wives and children.	Disputes relating to land and water.	Other miscellaneous cases or investigations.	Miscellaneous proceedings and applications.	REMARKS.
55	...	416	359	15	845	1,201	1,162	9	1	2,373	.	101	..	7	1,278	
31	10	31	229	3	304	462	515	51	2	1 030	..	4	.	2	3 789	
19	..	151	271	4	445	295	548	38	1	882	.	13	1	...	710	
15	2	91	155	3	266	624	410	7	.	1 041	.	22	..	282	390	
31	..	52	66	5	154	153	220	19	...	392	1	5	..	..	54	
33	..	237	386	8	664	1 628	1 072	49	..	2 749	6	46	..	48	2 002	
32	..	189	287	2	510	1 151	917	55	1	2 124	.	31	..	9	1 230	
19	...	30	135	2	186	328	328	15	.	671	..	40	..	2	2 469	
16	...	348	157	35	556	668	387	10	..	1 065	.	..	.	..	161	
10	...	38	134	...	182	135	229	7	1	372	...	7		16	447	
29	..	510	223	11	773	562	925	17	2	1 506	.	8	..	10	2 973	
23	..	25	113	1	162	408	307	12	.	727	.	10	8	5	334	
30	...	265	291	15	601	528	515	..	7	1 047	.	17	2	9	560	
24	...	64	253	1	342	774	935	10	..	1 719	4	41	2	11	1 379	
17	..	28	97	2	144	279	307	11	2	599	.	20	.	122	380	
20	..	77	148	7	252	917	562	..	1	1 480	...	19	...	1	1 051	
19	...	63	94	8	184	275	381	17	.	673	.	11	.	1	685	
18	..	55	137	1	211	418	415	53	.	886	.	6	1	..	1 046	
8	..	19	68	17	112	107	117	2	2	228	.	9	.	1	227	
449	12	2 689	3 603	140	6 893	10 910	10 252	382	20	21 564	21	403	14	526	21 165	
496	10	2 784	3 446	91	6 826	10 183	9 088	194	37	19 502	55	401	7	412	20 422	

STATEMENT showing the punishments inflicted by Magistrates in

District	Number of persons sentenced to																
			Imprisonment otherwise than in default of fine and security.											Enter into bond to keep the peace			
			2 years and under		6 months and under		2 months and under		15 days and under.								
	Transportation	Above two years.	Rigorous	Simple.	Rigorous.	Simple	Rigorous	Simple	Rigorous.	Simple	Fine only.	Whipping only	Give security for good behaviour	With sureties.	Without sureties	Any other primary punishment	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Nagpur ...	..	1	57		230	2	224	6	129	29	1,961	242	21	...	..	1	2,903
Chanda ...	..	2	41	4	177		139	7	32	3	688	270	4		...		1,367
Bhandara ...	..	3	25		86	..	95	5	81	10	773	249	7			..	1,334
Wardha ...	..		27		76	2	92	3	47	17	958	95	28	...		..	1,345
Balaghat ...	..	...	51		60	1	78	...	37	2	286	84	...			..	599
Jabalpur	..	8	82		230	4	235	11	78	15	2,779	227	27	9	11		3,726
Sagar ...	...	7	49		102	1	181	12	145	23	1,920	280	17			...	2,737
Damoh ...	..	1	23		105	2	87	7	38	12	506	86	11	2	...	...	880
Seoni ...	..	1	17		161	...	71	14	25		911	183	1		...		1,384
Mandla ...	..	1	42	...	50		66	2	26		209	104	12				521
Hoshangabad ...	..	8	72		139	8	170	3	87	9	1,418	188	32	...			2,129
Betul ..	..	2	30		87	1	83	7	24	3	527	124	6			...	894
Nimar ...	..		25		92	2	106	6	49	26	787	171			1		1,265
Narsinghpur .	..	2	142	3	151	1	105	14	102	5	1,372	211	51	18	...	1	2,178
Chhindwara ...	.	...	43		44	..	91	3	64	11	557	48	8		.	...	869
Raipur ..	..		16		136	2	168	8	30	16	1,379	258		4	...	...	2,017
Sambalpur ..	..	...	76		161	1	159	3	20	11	549	152	1	.	...	...	1,133
Bilaspur ...	..	...	32	...	100	7	123	6	22	11	592	194	13	.	.		1,106
Upper Godavari ...	..	...	7		22	2	21	3	9	5	382	7			.	..	458
Total ... 1872		36	857	7	2,224	31	2,294	120	1,045	208	18,554	3,183	239	33	12	2	*28,845
Total ... 1871	...	12	473	4	1,838	28	2,003	117	913	167	17,599	2,799	66	9	6	..	26 034

* Or 4 less than the number convicted, these 4 persons were acquitted by the Deputy Commissioner, Seoni, when referred to him for severe punishment,

MENT No. III.

the several districts of the Central Provinces during the year 1872.

Number of persons sentenced to additional punishments.							Number of persons sentenced to fine.					Number of persons sentenced to whipping.				
Fine in addition to imprisonment or other punishment not including whipping.	Whipping in addition to imprisonment with or without fine also	Whipping in addition to fine only	Solitary confinement.	Forfeiture of property.	Ordered to give: Recognizance to keep the peace.	Ordered to give: Security to keep the peace.	Above Rs. 50.	Rs. 50 and under.	Rs. 20 and under.	Rs. 5 and under.	Total.	21 to 30 stripes.	11 to 20 stripes.	10 stripes or less.	Total.	Number of persons ordered to pay compensation to accused persons.
19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35
142	52	...	25	...	..	...	18	68	354	1,663	2,103	29	105	160	294	164
63	14	..	33	26	...	...	2	12	69	668	751	63	116	105	284	29
66	26	..	15	...		..	7	20	126	686	839	4	119	152	275	48
19	8	1	11	6	...	...	4	19	114	840	977	20	53	31	104	28
44	13	...	...	...	...	...	1	8	51	270	330	2	72	23	97	6
71	74	...	70	...	3	..	11	74	286	2,479	2,850	91	116	104	311	79
194	20	...	18	....	...	13	8	95	511	1,500	2,114	48	104	148	300	99
37	30	...	27	...	...	...	6	24	90	423	543	15	58	43	116	33
83	46	...	1	...	...	...	5	25	163	801	994	16	99	114	229	27
48	17	...	12	...	...	...	5	32	57	163	257	38	72	11	121	3
160	32	...	7	..	...	...	17	84	281	1,196	1,578	40	101	79	220	33
67	8	..	37	..	...	..	5	29	172	388	591	27	74	31	132	31
26	18	...	...	...	...	...	7	28	131	647	813	10	77	102	189	30
146	49	...	16	...	4	2	14	58	362	1,084	1,518	14	183	62	259	55
78	8	...	5	...	...	...	4	25	79	527	635	14	21	21	56	91
83	43	2	3	..	...	...	10	55	230	1,167	1,462	19	173	111	303	39
37	20	..	19	...	...	1	7	26	62	491	586	42	95	35	172	11
76	16	...	7	..	2	...	...	13	96	559	668	46	125	39	210	32
27	2	...	..	...	1	...	7	6	25	371	409	...	6	3	9	11
1,467	496	3	306	32	10	16	138	701	3,259	15,928	20,021	538	1,769	1,374	3,681	849
1,319	277	2	136	43	8	13	143	811	2,956	15,010	18,920	254	1,477	1,344	3,075	575

Fines and Compensation for frivolous or vexatious complaints in

Districts.	A.—Administration																										
	Amount for realization									Amount realized, &c.																	
										Realized during the year						Become unrealizable										
	Balance remaining to be realized at the close of last year			Amount of fines imposed during the year			Total for realization			Of former years			Of year under report			Owing to reversal of sentence			Through lapse of time and struck off under sanction of Deputy Commissioner			Total		
1	2			3			4			5						6			7			8		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Nagpur ..	8,055	8	1	11,053	5	9	19,108	13	10	335	13	3	9,727	14	8	299	14	6	2,372	1	5	12,735	11	10
Chanda ..	5 018	7	0	2 593	2	0	7 611	9	0	305	6	6	2 329	14	7	88	8	11	2 127	8	7	4 851	6	7
Bhandara ..	4 938	9	0	3 758	7	0	8 697	0	0	243	7	1	3 253	10	1	40	0	0	2 571	5	9	6 108	6	11
Wardha ...	3 962	11	1	3 910	14	0	7 873	9	1	84	2	9	3 610	15	0	159	0	0	1 359	4	1	5 213	5	10
Balaghat ..	693	2	8	1 450	3	0	2 143	5	8	68	9	5	1 205	15	7	95	0	0	...	...	...	1 369	9	0
Jabalpur ..	12 059	13	8	11 744	6	9	23 804	4	5	973	8	0	8 259	8	1	1,411	0	0	809	13	0	11 453	13	1
Sagar ..	22 051	5	1	13 924	1	0	35 975	6	1	312	11	9	11 664	11	9	285	0	0	3 288	11	8	15 551	3	2
Damoh ..	2 824	13	6	4 291	1	0	6 615	14	6	104	10	3	2 899	4	6	1 057	0	0	1 118	10	11	5 179	9	8
Seoni ..	3 191	12	6	4 996	6	0	8 188	2	6	681	12	9	3 667	0	6	300	0	0	445	6	9	5 094	4	0
Mandla ..	1 582	2	2	2 869	4	0	4 451	6	2	143	10	11	2 414	7	6	205	0	0	70	6	0	2 833	8	5
Hoshangabad ..	15 568	6	4	11 591	5	0	27 159	11	4	312	12	0	8 863	0	8	145	0	0	3 376	0	11	12 696	13	7
Betul ..	9 386	2	8	4 660	6	0	14 046	8	8	98	13	6	3 673	5	3	239	0	0	304	15	3	4 316	2	0
Narsinghpur ..	5 802	3	9	10 053	2	0	15 855	6	9	138	9	3	7 694	9	9	165	12	0	308	6	3	8 307	5	3
Nimar ..	2 848	4	11	4 195	9	0	7 043	13	11	133	0	0	3 579	1	0	20	0	0	...	...	.	3 732	1	0
Chhindwara ..	1 628	9	1	3 615	6	6	5 243	15	7	18	12	0	2 551	15	7	93	5	1	..	..	...	2 664	0	8
Raipur ..	8 641	3	1	8 651	2	9	12 292	5	10	229	14	3	7 275	15	11	333	0	0	390	7	3	8 229	5	5
Sambalpur ..	3 403	9	0	3 573	10	0	6 977	3	0	62	5	0	3 376	11	0	23	6	0	552	6	9	4 014	12	9
Bilaspur ...	4 874	15	6	2 920	1	0	7 795	0	6	100	7	0	2 337	14	10	88	0	0	1 176	13	3	3 703	3	1
Upper Godavari .	1 496	12	3	2 323	14	0	3 820	10	3	16	0	0	1 990	13	6	230	0	0	113	0	0	2 349	13	6
Total ...	1 12 528	7	4	1 12 175	11	9	2 24 704	3	1	4,364	5	8	90 376	13	9	5 277	14	6	20 385	5	10	1 20 404	7	9
Of the Court of the Dy.Comr, as a Court of Session ..	8 216	2	10	6 808	0	0	15 024	2	10	40	0	0	990	14	2	2 797	0	0	1 164	10	5	4 992	8	7
Of the Court of Session ..	8 957	10	6	15 620	6	0	24 577	10	6	15	12	9	3 084	15	6	2 000	0	0	600	5	9	5 701	2	0
Grand Total...	1 29 702	4	8	1 34 603	11	9	2 64 306	0	5	4 420	2	5	94 452	11	5	10 074	14	6	22 150	6	0	1 31 098	2	4

MENT No. IV.

the Central Provinces for the year 1872.

Balance to be realized			B.—Cash. Dr. Balance in hand at close of last year			Total of Columns 5 and 10			Paid as compensation to complainants or injured parties			Paid as rewards			Refunded on account of fines reversed after realization but before credit in the Treasury			Paid to the Treasury to credit of Government			Total			Balance in hand or in deposit			Remarks
9			10			11			12			13			14			15			16			17			18
Rs	A.	P.	Rs	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
6,373	2	0	568	13	5	10,632	9	4	575	4	11	216	12	0	47	8	0	8,690	13	5	9,530	6	4	1 102	3	0	
2 760	2	5	100	3	1	2 735	8	2	106	8	0	..	..	.	...	..	..	2 447	6	2	2 553	14	2	181	10	0	
2 588	9	1	336	7	6	3 833	8	8	228	9	7	32	11	6	..	.	.	3 121	2	4	3 382	7	5	451	1	3	
2 660	3	3	96	12	0	3 950	13	9	105	8	0	..	..	.	..	..	.	3 790	13	9	3 896	5	9	54	8	0	
773	12	8	118	15	6	1 393	8	6	135	2	0	..	...	.	...	.	..	1 187	14	6	1 323	0	6	70	8	0	
12 350	7	4	64	1	0	9 308	1	1	415	1	9	..	.	.	11	0	0	8 806	13	4	9 232	15	1	75	2	0	
20 424	2	11	297	0	0	12 274	7	6	274	14	10	8	12	0	69	8	0	10 654	2	8	11 007	6	6	1 267	2	0	
1 436	4	10	115	2	0	3 119	0	9	189	5	0	..	..	.	..	.	...	2 777	11	6	2 967	0	6	152	0	3	
3 093	14	6	..	.	...	4 348	13	3	114	10	11	..	.	.	..	.		4 224	2	4	4 338	13	3	10	0	0	
1 617	13	9	3	0	0	2 561	2	5	619	9	3	...	.	.	..		..	1 872	13	2	2 492	6	5	68	12	0	
14 462	13	9	15	0	0	9 190	12	8	328	0	0	...	.	.	..	.	...	8 839	0	8	9 167	0	8	23	12	0	
9 730	6	8	130	6	0	3 902	8	9	190	4	0	228	5	0	14	12	0	3 429	6	9	3 862	11	9	39	13	0	
7 548	1	6	275	0	0	8 108	3	0	1 059	10	11	..	.	.	59	0	0	6 419	11	11	7,538	6	10	569	12	2	
3 311	12	11	95	12	0	3 807	13	0	360	0	0	..	.	...	..	.	..	3 447	13	0	3 807	13	0	..	..	...	
2 579	14	11	56	9	0	2 627	4	7	81	8	0	..	.	.	..	...	.	2 520	0	7	2 601	8	7	25	12	0	
4 063	0	5	349	12	6	7 855	10	8	904	10	0	..	..	.	...	..	.	6 059	6	8	6 964	0	8	891	10	0	
2 962	6	3	469	6	9	3 908	6	9	670	13	0	..	..	..	...	..	..	2 684	6	3	3 355	3	3	553	3	6	
4 091	13	5	182	0	0	2 620	5	10	110	4	6	..	..	.	25	0	0	2 407	9	10	2 542	14	4	77	7	6	
1 470	12	9	...	.	...	2 006	13	6	646	4	0	...	.	...	..	.	..	1 360	9	6	2 006	13	6	..	...	..	
1 04 299	11	4	3 274	4	9	98 185	8	2	7 116	0	8	486	8	6	226	12	0	84 741	14	4	92 571	3	6	5 614	4	0	
10 031	10	3	21	0	0	1 051	14	2	49	8	0	..	.	..	100	0	0	1 001	14	2	1 051	6	2	0	8	0	
18 876	8	6	..	..	..	3 100	12	3	2 000	12	9	..	.	.	..	...	..	1 099	15	6	3 100	12	3	...	.	..	
1 33 207	11	1	3 295	4	9	1 02 338	2	7	9 166	5	5	486	8	6	326	12	0	86 843	12	0	96 723	5	11	5 614	12	0	

MAGISTERIAL STATEMENT No.

For the year ending

Districts.	A POLICE CASES.												
	No. of Cases.											Total duration in days	Average duration of each case
	Detail according to their duration										Total number of cases		
	1 day.	2 days.	3 days.	4 days	5 to 7 days	8 to 10 days	11 to 15 days	16 to 20 days	21 to 30 days	above 30 days			
1	2										3	4	5
Nagpur ...	964	173	73	49	78	31	13	8	6	3	1,398	3,147	2·2
Chanda ...	685	43	28	28	37	18	18	12	16	16	901	2,834	3·1
Bhandara ..	416	57	23	14	25	18	9	3	3	2	570	1,266	2·2
Wardha ..	387	66	26	18	24	19	10	4	5	..	559	1,303	2·3
Balaghat ..	221	45	26	5	10	10	12	4	2	5	340	1,072	3·2
Jabalpur ..	1,660	144	71	38	46	15	8	7	5	2	1,996	3,137	1·5
Sagar ..	842	158	106	55	58	40	23	3	6	1	1,292	2,911	2·2
Damoh ..	303	59	22	6	21	9	7	5	2	4	438	1,219	2·7
Seoni ..	351	83	33	17	22	11	10	4	1	3	535	1,298	2·4
Mandla ...	329	14	6	6	4	6	5	2	1	2	375	686	1·8
Hoshangabad ..	700	161	61	26	63	45	18	11	6	13	1,104	3,206	2·9
Betul ..	304	69	31	10	21	16	22	5	7	...	483	1,355	2·8
Narsinghpur ..	859	114	42	17	72	26	24	11	7	2	1,174	2,690	2·2
Nimar ..	659	113	42	19	31	17	11	7	3	3	905	1,964	2·1
Chhindwara ..	302	39	26	16	24	15	11	7	4	3	447	1,295	2·9
Raipur ..	667	60	27	13	39	14	25	5	6	1	857	1,870	2·1
Sambalpur ..	587	31	4	11	11	7	7	3	2	7	670	1,260	1·8
Bilaspur ..	366	87	31	13	38	20	25	7	10	12	609	2,290	3·7
Upper Godavari ..	115	13	9	8	22	10	5	2	2	6	192	1,018	5·3
Total .. 1872	10,717	1,527	687	369	646	347	263	110	94	85	14,845	35,821	2·4
Total .. 1871	8,759	1,405	594	327	547	809				69	12,510	33,587	2·6

C. L. Z—10—51—360

V—DURATION STATEMENT.

31st December 1872.

B. CASES ON COMPLAINT.											
No. of Cases											
Detail according to their duration								Total number of cases.	Total duration in days	Average duration of each case	Remarks
1 to 4 days	5 to 7 days	8 to 10 days	11 to 15 days	16 to 20 days	21 to 30 days	31 to 45 days	Above 45 days				
6.								7	8	9	10
586	540	367	146	77	65	9	3	1,793	13,594	7·5	
117	94	75	52	30	25	9	8	410	4,117	10·	
141	206	163	119	48	40	21	2	740	7,261	9·8	
180	197	158	105	41	41	10	6	738	6,988	9·4	
35	32	31	45	16	23	9	2	193	2,457	12·7	
573	364	200	133	38	32	3	5	1,348	9,401	6·9	
433	395	230	153	43	33	9	1	1,297	9,492	7·3	
116	88	91	50	33	11	4	..	393	3,302	8·4	
324	298	161	127	64	45	17	6	1,042	9,041	8·6	
37	35	30	23	13	5	4	..	147	1,357	9·2	
219	338	239	186	78	79	10	10	1,159	11,754	10·1	
86	78	83	71	43	32	5	2	400	4,184	10·5	
126	154	198	180	104	83	26	2	873	10,245	11·7	
168	240	144	90	27	20	5	3	697	5,690	8 1	
63	41	44	68	40	26	5	1	288	3,328	11·5	
324	214	133	85	46	30	18	7	857	7,210	8·4	
23	58	32	43	15	5	3	—	179	1,730	9·7	
97	92	79	88	57	45	14	12	484	6,021	12·4	
38	13	4	1	6	3	4	10	129	1,558	12·	
3,736	3,477	2,462	1,765	819	643	185	80	13,167	118,730	9.	
7,104		6,128				272		13,504	121,328	9.	

No. VI.

Witness Statement of the Districts of the Central Provinces for the year 1872.

Districts	Number of witnesses discharged after											Amount paid by Magistrates on the part of Government as expenses of complainants or witnesses
	1 day.	2 days	3 days	4 days.	5 days.	6 days	7 days	8 to 10 days.	11 to 15 days	16 days and upwards	Total number of witnesses	
1	2	3	4	5	6	7	8	9	10	11	12	13
												Rs A P
Nagpur ..	9,135	993	195	46	..	1		...	...	..	10,370	...
Chanda ...	4,608	228	51	55	.	9	4	8	...	...	4,963	1,028 1 0
Bhandara ..	4,071	228	52	8			...		...	...	4,359	19 10 0
Wardha ..	3,983	318	61	41			..	...		...	4,403	..
Balaghat ...	1,385	224	141	8	10	11	...		.	..	1,779	18 10 0
Jabalpur ..	9,296	517	78	56	.	...	7		...	...	9,954	7 10 0
Sagar ...	7,682	796	187	11	14		3	...	2	...	8,695	...
Damoh ...	2,234	194	61	33	2			4			2,528	20 2 0
Seoni ...	3,735	141	69	6	...	10	...	2	...	...	3,963	...
Mandla ...	2,039	144	29					...	..	...	2,212	6 0 0
Hoshangabad ...	6,541	486	70	42	5	3	15		..	..	7,162	...
Betul ..	3,424	436	97	12	6			...	...	..	3,975	.
Nimar ...	4,152	490	80	3	11	15	..	...	...	..	4,751	433 5 9
Narsinghpur ...	6,664	491	100	1			..	...	...	...	7,256	2 6 0
Chhindwara ...	2,682	251	90	64	30	19	6	7	7	..	3,156	0 4 0
Raipur ..	5,510	125	16	1		...		...	...	...	5,652	..
Sambalpur ...	2,038	71	7	9	...			..	11	..	2,136	..
Bilaspur ...	3,514	254	54	12	3		..	...	...	...	3,837	0 8 0
Upper Godavari...	681	122	84	40	23		...	7	2	1	960	1,076 10 0
Total.. 1872 .	83,374	6,509	1,522	448	104	68	35	28	22	1	92,111	2,613 2 9
Total.. 1871 .	71,999	6,163	1,292	436	122	68	38	40	1	...	80,159	396 4 6

No. VII.

Statement of Appeals and References to the High Court for revision for the year 1872.

Appellate Courts	Number of persons													
	For disposal.			Further enquiry, or evidence ordered.	Disposed of.							Pending.		Others whose cases were, without application referred to the High Court for revision
	Pending from previous years.	Appealed or applied for reference to the High Court for revision during the year	Total		Appeals or applications rejected	Sentences confirmed	Sentences modified	Sentences reversed	Proceedings quashed	Cases referred for revision to High Court	Total	Total	More than one month	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Sadar Court	1	215	216	8	1	98	25	91			215	1	...	...
Sessions Court.														
Nagpur Division	2	151	153	2	6	100	16	21		2	145	8	1	
Jabalpur do.	5	208	213	25	47	92	21	42	1	6	209	4	...	
Narbada do. ...	4	373	377	2	95	168	49	61	...		373	4	...	
Chhattisgarh do.		53	53	...	9	23	11	7	...		50	3	...	
Magistrates of Districts.														
Nagpur ...		60	60	...	4	15	12	29	...		60	...		1
Chanda .		40	40	1	2	8	3	26	..		39	1	...	1
Bhandara ..	...	17	17	...	...	13	..	4	...		17	..	..	1
Wardha ...	1	59	60	...	..	26	8	16	...		50	10	...	
Balaghat .	...	10	10	...	1	4	4	...	1	...	10	..	...	
Jabalpur		95	95	...	5	58	15	17			95	...	...	
Sagar ...		165	165	..	..	83	11	71	..		165	...	...	
Damoh .	1	34	35	...	...	21	4	10		...	35	...	...	3
Seoni	2	52	54	...	8	31	12	3			54	...		1
Mandla		14	14	...	1	4	4	5	..		14	...	.	
Hoshangabad ...	...	81	81	...	1	56	6	18	..	.	81	..	...	
Betul ...	...	94	94	...	...	61	11	22		..	94	..	..	
Narsinghpur	...	102	102	...	..	70	11	21		...	102	..	...	
Nimar ...	1	69	70	1	...	44	14	12			70	...	...	8
Chhindwara ...		18	18	...	1	13	1	3		...	18	...	...	...
Raipur		39	39	..	1	6	10	22	.	...	39	..	...	
Sambalpur	...	2	2	.	..	...		2		...	2	.	..	.
Bilaspur	...	30	30	...	...	16	3	9	2	...	30	...		
Upper Godavari	...	10	10		..	5	3	...	2	..	10		...	
Total 1872	17	1,991	2,008	39	182	1,015	254	512	6	8	1,977	31	1	15
Total 1871	65	1,712	1,777	27	124	1,089	186	347	8	...	1,756	21	3	43

REPORT

ON THE

Judicial Administration

(Criminal)

OF THE

CENTRAL PROVINCES

FOR

THE YEAR 1874.

NAGPUR:

PRINTED AT THE CHIEF COMMISSIONER'S OFFICE PRESS

1875.

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No. 1540/80

FROM

J. W. CHISHOLM, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces,

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 30th April 1874.

SIR,

I am directed to acknowledge the Report on the administration of Criminal Justice in the Central Provinces for the year 1873 by the Judicial Commissioner, and to communicate in reply the following remarks and orders of the Chief Commissioner.

Section A,—the state of crime

2. The different headings of the report will be commented on in the same order as they have been treated by the Judicial Commissioner, and in the first place there is the state of crime which is dealt with in the first 20 paragraphs. This subject has been treated in the Police Report as regards all the more important offences, and has comparing the two years 1872 and 1873, there have been no marked changes either in the number or character of the offences. The total reported crime in 1872 was 44,868 offences, and in 1873 it is 44,793. Crimes against property with violence increased in some districts, particularly in Nagpur, where the Deputy Commissioner writes in reference to the cases of dacoity and robbery "that if the headman of the village visited had called out his villagers, had passed on the news to the neighbouring villages, and had pursued the offenders, some at least of the robbers would have been captured and a speedy stop put to this class of crime"; and he adds that "measures are being taken to endeavour to obtain from landholders a better discharge of their executive duties." The Chief Commissioner agrees with the Judicial Commissioner in considering that the duties which landholders are required to discharge should be such as can be enforced by law, and that a procedure enjoined on them which cannot be so enforced must in the majority of cases be practically inoperative. The Police arrangements of any district would stand condemned if the general public safety was so endangered as to require the villagers everywhere to be in a constant attitude of preparation for midnight attacks by robbers. This is certainly not the case in the Nagpur district or in any other district in these Provinces. and any thing like a general appeal to the people to help themselves must be considered a confession of weakness and an acknowledgment that the Police are unable to render effective assistance.

3. That villagers should systematically turn out and pursue robbers is a result that cannot be expected among an essentially non-fighting population. The Deputy Commissioner, however, attributes the absence of resolute action to "the breaking up of the ancient system of village administration"; but as a fact the Settlement in the Nagpur country has conserved the recognised village system as much as possible, and the proper Police responsibilities of landholders have been enlarged, and not in any sense weakened under British administration.

4. It is not necessary to quote the variations in offences in different localities which the Judicial Commissioner has illustrated by copious extracts from the local reports. The Chief Commissioner notes the strong remarks

made by the Deputy Commissioners of Raipur and Sambalpur, and endorsed by the Commissioner, in connection with prosecutions for smuggling salt. These cases are no doubt very numerous. They are usually of an extremely petty kind, and in some instances it may be true that a supply of salt being difficult to procure, the people are "simply forced to take to smuggling." If the Customs line is really likely under any circumstances to "become a source of serious political danger" the grounds for such apprehensions should be separately reported. So long as the line is maintained the cases of smuggling which occur must be so disposed of, as to act as a deterrent; while the question of abolition which has been raised is one which must be dealt with on imperial and not on mere local considerations.

5. The increased number of prosecutions for vagrancy and bad livelihood shows that in several districts the Magistrates have taken vigorous efforts in the direction of preventing crime. In some cases it is believed that judicious action against bad characters has resulted in a tangible decrease of offences against property, and further evidence of the good effected is expected to follow in the results shown for the current year. The Chief Commissioner concurs in the view that the initiative as regards the prosecution in such cases should rest on the responsibility of a Police Officer of a certain position, and possibly a Chief Constable is the lowest grade of officer who should be empowered to order proceedings being taken. This is probably, however, the practice in most districts already, for so great discretion is required in the action to be taken that to depend too much on the proceedings of an ordinary policeman would be to invite failure. So long as the action against bad characters is judicious both on the part of the Police and the Magistracy, the provisions of the law on this subject are a most effective aid to good administration, and the Chief Commissioner is glad to find that in no district were the proceedings such as to require unfavourable comment from the Judicial Commissioner.

6. In paras. 8 and 9 remarks are made to show that a tendency exists towards the "over-reporting" of crime in non-bailable cases, and it is suggested that some harassment must exist as regards reporting offences of a petty type so long as rules are not laid down partially waiving the obligations which the law imposes. The Chief Commissioner considers that a marked distinction must be made between the necessity for reporting and for investigating offences. There may be such a result as "over-investigating," but if any idea is to be formed of the general amount of crime in the country, there cannot as regards non-bailable offences be such a result as "over reporting." The offences most numerously reported are burglaries and thefts, and no doubt a large proportion of these relates to property of small value. But if *all* such offences were not reported, it would be impossible to impose a limit of value which would apply equally to all districts, and, however low the value was fixed, the number of offences excluded in the poorer districts would be very large. This then would indicate an absence of crime not consonant with the facts, while the people who had at best but little to lose might be the prey of habitual thieves, whose proceedings would be uninterfered with and unreported because as regards petty offences certain necessary obligations had been "waived." An instance in point is Chanda, mentioned at page 5 of the report, where 44 out of every 100 cases of burglary and theft involved property below one rupee in value, and the reason for this is no doubt to be found in the fact that the property available for removal by thieves from the houses of the people consists of small articles the money value of which is insignificant. If then these cases remained unreported because they were petty nearly half the Chanda offences would disappear from the register, and results not dissimilar would follow in other districts also.

7. The legal necessity for reporting all non-bailable crime seems to the Chief Commissioner an expedient provision, and to allow any discretion on the point would be open to much abuse and facilitate the concealment of offences. In these Provinces there exists an agency for reporting, so that *mere* reporting entails no harassment on the people of any kind. No doubt an over active Police which pushes investigations as regards cases where it is "neither desired by aggrieved parties nor necessary on public grounds" does occasion inconvenience and annoyance to the people; but it is for the Inspector General of Police to control an injudicious zeal in this direction, and his attention will be drawn to the subject. The departmental rules do not require the Police to make enquiry in cases of theft and burglary where the property stolen is under Rs. 20 in value, *if aid is not asked for*, and there is apparently nothing of an "involved" character about these rules which should render them difficult to apply. The remark of the Inspector General of Police referred to by the Judicial Commissioner, that the Police sometimes prosecute "unnecessarily," alluded to the action taken in a particular district. It is not believed that unnecessary prosecutions are usual in all districts, but wherever such a tendency exists in order to secure "good ratios of convictions" it is a result which requires to be promptly and effectively checked.

8. The Judicial Commissioner fears that unnecessary prosecutions "are in some degree induced by the indiscriminate way in which the statistics of Police work in connection with offences under the two main heads marginally cited* are received" In connection with this subject the Chief Commissioner remarked in the Police Review in reference to the statistics of Police action that "massed as the figures are for offences of all kinds they may, unless minutely analyzed, conceal failure in cases of an important and somewhat intricate character." But then this analysis is made and important cases are specially reported on and watched by the Inspector General. Failure in important cases therefore cannot be concealed; but as a fact the Police has to deal in the main with minor offences against property, and their systematic indifference or failure here would doubtless be followed by a general increase of this kind of crime—a result from which the people would suffer. If aid is asked for it must be given, however small the theft, and this remains the only safe rule It is not for the Police to decide whether a prosecution is necessary. All that has to be guarded against is their prosecuting in cases where aid is not asked for, but as this increases their work it may be assumed that "unnecessary prosecutions" in this sense are not usual, and they are most unlikely to be influenced by so remote an element as the manner in which the statistics of offences are departmentally disposed of when dealing with offences in the aggregate.

* 1 Lurking house-trespass or house breaking.
2 Theft ordinary

9. The table of non-cognizable crime given in para. 11 shows no increase of any marked extent under any head. There have been more prosecutions for omitting to give, or giving false information, and it may be doubted whether in all these cases Magisterial action was judicious. The Chief Commissioner concurs with the Commissioner, Narbada Division, Mr. Low, that "the principle on which we ought to proceed, is to punish severely all cases of open contumacy and defiance of the law, but to be very moderate in cases of mere *laches*."

10. In dealing with the offences noted in the margin there has been no great success, although giving or fabricating false evidence can now be tried by Magistrates of the 1st Class. It is to be feared that giving false evidence in our Courts is a common offence, and flourishes unawed by the legal penalties which are faced, owing to the difficulty of proving individual cases, and the

False evidence.
False charges
Forgerry.

consequent absence of Magisterial action unless in instances that are plain and palpable. In connection with this offence, the following remarks of the Commissioner of Jabalpur, Mr. Grant, are worthy the attention of all Magistrates —

"Prosecutions for false evidence have hardly been attempted, except at Seoni. The reasons are I believe (1) that these cases are always difficult and unsatisfactory, owing to the habitual looseness of almost all native evidence; and (2) that Magistrates seem to think that vigorous action in this branch of their duties is not desired. It would be a pity I think that this impression should gain ground. Prosecution is only undesirable (1) when there is any doubt with regard to the motive of the false witness; (2) when his false evidence is on a point not material to the main issues for trial. From some cases which have come before me I think that these vital tests are not always regarded, though the more common error is to take no notice of false evidence at all."

11. The action taken in connection with other offences noted on by the Judicial Commissioner calls for no remarks.

Section B.—the Tribunals

12. The new Code of Criminal Procedure, Act X. of 1872, was in force during the year 1873, and the Judicial Commissioner records that while it has effected improvements it has also raised some new difficulties. These remain for separate consideration, but practically the new Code has been much appreciated by Magistrates and the procedure laid down for summary trials under Chapter XVIII. are considered especially advantageous. The effective strength of the Magistracy at the close of the year was as follows —

STIPENDIARY.

Magistrates 1st Class	...	58
Do. 2nd „	...	41
Do. 3rd „	...	17
		116

HONORARY.

Magistrates 1st Class	...	7
Do. 2nd „	...	31
Do. 3rd „	...	34
		72

The Judicial Commissioner states that the "need of more Magistrates continues urgent," and the extracts from the local reports show that in the wilder tracts where the need is greatest the subject has attention, and if qualified men can be found a remedy will be applied by increasing the number of Honorary Magistrates. It is in the interior of districts that Honorary Magistrates are most required, and their suitable location is a great convenience to the people. At head-quarters there are ordinarily sufficient Magistrates and there is no call for throwing much work in such cases on Honorary Magistrates

Section C.—Distribution of business among the several classes of Courts

13. There were altogether 49,246 accused persons dealt with during the year 1873, and their disposal was distributed among the different classes of Magistrates as follows —

By Magistrates of Districts	3,763	persons or	7·6	per cent
By other Stipendiary Magistrates	26,836	„	or 54·5	„
By Honorary Magistrates	18,637	„	or 37·9	„

Although there has been some increase in the number of persons disposed of by Magistrates of districts, the amount of Criminal case work which these officers themselves take up continues objectionably small. In cases where more persons have been disposed of by Deputy Commissioners, this is attributed to the facility afforded by the new procedure for holding summary trials, but even in this matter the variations in practice are considerable. In the Damoh district there were only 2 such trials, while in the adjoining district of Sagar there were 236, in Hoshangabad there were 7, and in the smaller district of Chhindwara 102. It is not understood why a procedure which is pronounced simple and effective should find favour with some Deputy Commissioners only, while others apply the provisions to a very limited extent.

14. The other Stipendiary Magistrates disposed of much the same number of persons as in the previous year, but Tahsildars at head-quarters took up fewer Criminal cases, owing to the pressure of Civil work, and a larger share of Criminal work consequently fell on Honorary Magistrates. No less than 38 per cent of the accused persons were dealt with by these gentlemen, and on the whole they seem to have discharged the duties entrusted to them in a satisfactory manner.

The Chief Commissioner concurs with the Judicial Commissioner "that as greater use continues to be made of Honorary Magistrates, so it becomes more and more incumbent on Magistrates of Districts to supervise, instruct, and guide them." The following gentlemen of those mentioned in your 27th para. have done an exceptionally large amount of Criminal work, and will receive the special acknowledgments of the Administration :—

Nagpur	...	Rajah Suleman Sha.
Bhandara	...	Yado Rao.
Jabalpur	...	J. Watts, Esquire.
Sagar	...	Lachman Rao.
Nimar	...	Harikarn Mandloi.
Kamthi	...	Abirchand Rai Bahadur.
Hinghanghat	...	Sunder Narain
Bhopiwara	...	Govind Singh Jemadar.
Balkhera	...	Thakur Chet Singh.

Cases occasionally crop up showing an abuse of their powers by Honorary Magistrates, and accusations of corruption are not altogether absent. When misconduct is proved removal from the bench follows as an inevitable punishment, but care is enjoined on local officers in listening too readily to complaints, and a case is now pending before the Chief Commissioner where the action taken against an Honorary Magistrate is represented as having been based on evidence deeply planned and produced by his enemies. Constituted as native society is, with influences often operative which do not appear on the surface, the position of Honorary Magistrates is one liable to misrepresentation, and the difficulty of getting men to accept the position has in some districts been attributed to the suspicion which might under false information come to be attached to their general proceedings.

Section D,—the action of the tribunals of original jurisdiction on accused persons under enquiry or trial before them.

15. There were 49,504 persons brought before Magistrates in cases for enquiry or trial, and they were disposed of as follows :—

30,728 or 62·	per cent	persons	convicted.
18,273 or 37·	,,	,,	acquitted or discharged.
503 or 1·	,,	,,	died, escaped, transferred or pending.

The proportion of persons acquitted or discharged is large, and in certain classes of offences detailed in your 30th paragraph there has been marked failure in substantiating charges made, which in several instances were probably groundless. The salient results as regards the more important offences are commented on in paragraphs 31 to 47 of the Report. The case of selling counterfeit Government Stamps which was tried in the Nagpur District illustrates the necessity that exists for effectually destroying all Stamp paper before useless records are offered to purchasers. In this instance the records were sold without the Stamps being destroyed according to standing rules, and the result was that the ink marks were removed and the Stamps re-sold. It is satisfactory to find that the persons concerned were convicted.

16. Under the head of offences by public servants the failure in so many cases seems to indicate hasty prosecutions. The Chief Commissioner notes that the Judicial Commissioner impressed on officers the desirability of committing to the Sessions Court officials "accused of offences springing from irregularities reflecting discredit on the general administration of a district" for the good administration of which Deputy Commissioners were immediately responsible. Such cases must be exceptional, and in the majority of instances the accusations made against subordinate officials in no material sense affect the credit of the District administration in a manner to bias a Deputy Commissioner against an accused person, and the executive control of District Officers would be injuriously weakened if they failed to exercise their Magisterial authority in direct vigorous action against such offences. The Chief Commissioner considers that generally Magistrates can best deal with such charges, and that in the interests of justice, very little if any advantage would be gained by anything like a recognized recourse to the procedure of committing to the Sessions. It may be that the portals of escape would not be widened by such cases being heard in the Sessions Courts, but punishment would follow more slowly, and the initial difficulty of obtaining evidence, which is often considerable, would be greatly increased. In this class of cases failure is likely to have a fatal effect, and its tendency is to paralyze the efforts made to improve the tone of the public service.

17. In the offences of adultery and rape the convictions were few, viz., in adultery 21 out of 101 persons prosecuted, and in rape 12 out of 43. The charges made under these heads are doubtless based in many instances on very slender grounds, and as a result the prosecution too often utterly breaks down.

18. The common offences of hurt, assault, intimidation and insult show very varying results in different districts. Taking the whole Province the convictions were—

Hurt	...	54 per cent.
Assault	...	38 „
Insult, &c.	...	46 „

But in Bhandara, Balaghat, Jabalpur, Hoshangabad and Nimar there seems an utter recklessness of petty complaints, and from two-thirds to three fourths of the cases appear to have been without any foundation. The readiness with which summonses are granted in such cases encourages complaints and occasions much inconvenience to persons who are forced into Court. This has frequently been pointed out to Magistrates, as also the power of awarding compensation to accused persons in cases of vexatious complaints, but, as remarked by the Judicial Commissioner, without much general permanent effect. In many districts these petty complaints are very numerous, a majority of them are shown to be utterly groundless, still persons are summoned to appear and answer unscrupulous accusers, while compensation for frivolous and vexatious complaints are rarely awarded. The Chief Commissioner would again draw the attention of

Deputy Commissioners to the necessity of impressing on subordinate Courts the obvious advantage of carefully examining complaints before issuing summonses, and when summonses have been obtained on palpable misrepresentations the enforcement of the provisions of the law for awarding compensation. The case of Hoshangabad is pointedly mentioned in the Report, and the results there remarked on in detail by the Commissioner, Mr. Low, indicate an absence of control over the subordinate Courts by the Deputy Commissioner. The contrast is very striking when compared with the adjoining district, Narsinghpur; and not being in any way explained is altogether unfavourable to the Hoshangabad district administration.

19. In burglaries, thefts ordinary, and cattle thefts the Courts convicted a larger proportion of offenders during 1873 than in the previous year; and under vagrancy and bad livelihood 602 persons were brought up, compared with 388 in 1872. The prosecutions were most successful in the Narsinghpur and Nimar districts, though in the latter district the Judicial Commissioner considers that security was "demanded sometimes on too slender grounds."

Section E.—Punishments.

20. The 30,222 persons who were punished received the different kinds of punishment in the following proportions:—

19,596 persons or 64·8 were fined, out of whom 14 were also whipped.

8,277 persons or 27·4 were imprisoned, out of whom 1,793 were also fined and 505 whipped.

2,310 persons or 7·6 were whipped only.

25 were transported; and

24 sentenced to death.

In comparing the punishments awarded with the previous year it is found that a smaller number of persons have been sentenced to whipping only, and a larger number of persons have been imprisoned. This is due to the provision in the new Code which requires sentences of whipping to be carried out by the officer in charge of the District jail. As a result Magistrates in the interior have often given imprisonment as a punishment instead of whipping.

21. The table at page 36 gives for each district, the proportion of persons sentenced to fine, whipping and imprisonment, and the variations are commented on so far as they admit of explanation. These variations, however, are considerable, and after making every allowance for the different class of offences to be dealt with in districts, many of the more marked differences are probably due to the idiosyncracies of individual officers in favour of awarding one special kind of punishment in cases where a discretion is allowed. Variations in the matter of punishments if calculated to occasion injurious results, can only be controlled and checked by the supervision and interference of the higher Judicial Officers. The punishment of fine must always be greatest in districts where there are Cantonments and important Municipalities, but in other districts ordinarily no special cause of difference applies. The following are noted cases where the differences in the proportion of the different kinds of punishment awarded are the most striking:—

District.		Percentage of persons punished who were— Fined.	Whipped	Imprisoned.
Hoshangabad	..	73·	2·	24·
Mandla	..	44·	23·	33·
Damoh	...	46·	8·	45·
Bhandara	...	57·	14·	28·

It is impossible to judge merely from averages whether in all districts the punishments awarded have been appropriate and judicious. All that can be said is that the variations are not covered by the explanations, and deserve the scrutiny and attention of Commissioners and Deputy Commissioners.

22. The Chief Commissioner notes with satisfaction that in many districts solitary confinement has been awarded in a large number of cases. In Hoshangabad, Nimar, and other districts, the provisions of the law in this respect have been partially overlooked. Compensation to injured parties also is a remedy not resorted to in anything like a uniform manner.

23. The fines imposed in the Province were in a large proportion of cases small in amount, and were apparently imposed in fair consideration of the circumstances of the persons fined, and the offences for which the punishment was awarded. In 78 per cent of the cases the fines were 5 rupees and under, in 16 per cent and above, 5 rupees and under 20 rupees, and in 5 per cent only above this amount. The Judicial Commissioner seems to think that fines are usually judiciously pitched, and the doubt raised in the case of Betul is being specially inquired into. The success in realizing fines is a fair test of their not being ordinarily severe, and realizations are shown to be "good in most Courts and districts."

24. In connection with the punishment for whipping, the number of persons sentenced to 10 stripes and under is 28 per cent, and this seems large. In Bhandara it is as high as 53 per cent, in Sambalpur 57, and in Chhindwara and Seoni 40 per cent. The Upper Godavari District average is special, only three persons having been sentenced to whipping; but in the other districts named it is not clear why if the punishment of whipping was an appropriate one such marked leniency should have been shown in inflicting stripes. The remarks of the Commissioner of Nagpur, Mr. Jones, on this subject are appropriate and are quoted:—

> "In the matter of punishments there is still a tendency to adjust the number of stripes awarded when sentence of whipping is given to the magnitude of the offence. Such attempts are I think useless. Magistrates need not try to adjust stripes as they would rupees in a fine. A flogging is an integral punishment, and the great thing is to see that when awarded it is felt. A sentence of a few stripes to a robust thief is often no punishment at all, and without going so far as to say that in awarding stripes Magistrates need not weigh the magnitude of the offence at all, I think that they should think first of the ability of the convicted person to bear a flogging. If they did this we should not have so many sentences of less than 10 stripes."

25. In paras. 59 and 60 the degrees of imprisonment awarded by the Courts is detailed and commented on, and here also the variations in different districts are very marked. The following are the figures for the Province :—

Imprisoned above 6 months	..	14·5
6 months and over 2 months	..	34·
2 months and over 15 days	...	33·
15 days and under	...	18·5

When, however, it is found that in the Upper Godavari District 52 per cent, in Bhandara 43 per cent, and in Wardha nearly 30 per cent of the persons imprisoned were sentenced to less than 15 day's imprisonment, the Chief Commissioner doubts whether the results indicate judicious action on the part of the Courts. It is only in very exceptional cases that imprisonment is the most appropriate punishment when the sentence is one limited to a few days. An impression that a fine cannot be paid is no warrant in the Chief Commissioner's opinion for a sentence of imprisonment except as an alternative punishment, and

the Chief Commissioner would ask Commissioners and Deputy Commissioners to see that sentences of imprisonment are not inappropriately imposed, and that when cases are of a character calling for imprisonment that the sentences passed are adequate Where imprisonment is a suitable kind of punishment Mr Morris considers that in most cases a sentence of a few days' imprisonment is likely to do more harm than good and cannot certainly have any deterrent effect. The suitability of punishments awarded seems doubtful in presence of the unexplained results in the different districts which the punishment tables exhibit. I am to instance in marked contrast Bhandara and Damoh. Of every 100 persons punished in the former district, 57 persons were fined, 14 were whipped, and 28 imprisoned. Of those fined, 83 per cent were fined in sums of 5 rupees and under, 53 per cent of those whipped received 10 stripes and under, and 43 per cent of those imprisoned were sentenced to 15 days' imprisonment and under. In Damoh of every 100 persons punished, 46 were fined, 8 were whipped, and 45 were imprisoned Of the persons fined, 72 per cent were sentenced to 5 rupees fine and under ; of those whipped, 8 per cent received 10 stripes and less, and of those imprisoned 12 per cent received sentences of 15 days and under. If in one district, Bhandara, more than half the persons sentenced to whipping were appropriately punished with 10 stripes and less, and 43 out of every 100 persons sentenced to imprisonment were adequately punished with sentences of 15 days and under, then in Damoh, where the results are absolutely dissimilar, there must have been a persistent severity in the sentences of all the Courts. Mr. Morris, however, fears that in Bhandara there has been undue leniency towards criminals In any case the variations shown by the tables demand scrutiny, and the Chief Commissioner draws prominent attention to the results, in order to induce inquiry and effect improvement where defects are found.

Section F—Witnesses.

26. There were 106,064 witnesses who appeared before the Magistrates' Courts during the year, of whom over 90 per cent were not detained beyond one day. There seems to have been no reprehensible instance of unnecessary detention. The expenses of witnesses attending the Courts in Criminal cases are now regularly paid under the new rules referred to by the Judicial Commissioner, and the necessary Budget allotments are made to meet the expenditure on the representation of District Officers. It is believed that ample sums are provided to meet all "reasonable expenses" of witnesses.

G.—Appeal, reference, and revision.

27. In Appellate Courts the following were the proportions of cases altered or reversed :—

			Per cent.
By Judicial Commissioner	...	...	25·
By Commissioners	...	...	28·
By Deputy Commissioners	...	...	43·

The Chief Commissioner notes that the Judicial Commissioner "has inspected every case in which sentences have been enhanced on appeal by Magistrates of Districts, and has been generally satisfied with the judgment exercised in the enhancement" The provision of the law which admits of enhanced sentences being given by an Appellate Court, has in no way apparently affected the number of appeals. There were 104 cases referred to Commissioners under Section 36, Criminal Procedure Code, for confirmation of sentences passed by Deputy Commissioners, and in only 49 cases were the sentences passed confirmed. This reflects unfavourably on the judgment of several District Officers, and this unfavourable aspect is still more apparent in the action of the Court of the Judicial Commissioner as a Court of revision for of 127 persons whose cases were specially dealt with, in the cases of 41 persons only were the sentences confirmed, so that as regards nearly 70 per cent of the persons disposed of the orders of the

lower Courts were reversed and modified. These remarkable results remain unexplained in any way and the Chief Commissioner cannot attempt to account for them.

28. The defects pointed out in connection with Section 36, Criminal Procedure Code, can only be remedied by legislative action and require careful consideration.

Section H.—Durations.

29. The attention of supervising officers is specially directed to the remarks of the Judicial Commissioner on the average duration of trials in different districts While undue haste in the disposal of criminal cases is to be deprecated, a systematic dilatoriness in the disposal of cases indicates a weakness of control over the proceedings of subordinate Courts. There is clearly room for improvement in the districts of the Nagpur Division, and the results are absolutely bad in Damoh, Hoshangabad, Raipur and Bilaspur As regards the Sessions Courts the Chief Commissioner will only remark that delays such as have occurred in Chhattisgarh, where in some cases accused persons were awaiting trial for periods ranging from 227 to 312 days, should not occur again under any circumstances, and must in future be avoided by more suitable arrangements being made for the regular holding of Sessions trials within shorter intervals.

30. The facts presented by the Judicial Commissioner call for no further comment, and the results which the report exhibits are commended to the attention of Commissioners and Deputy Commissioners with a confident assurance that defects where they exist in the action of the Courts will be carefully studied and remedied so that improvement may follow and a higher general standard of excellence in the administration of Criminal justice be attained The procedure of the Criminal Courts is probably free from reproach, but the manner in which criminals are dealt with and the appropriateness and judiciousness of sentences usually passed present results so variable and inconsistent in different districts that doubts remain whether more detailed scrutiny is not called for, and this supervising Officers are now invited to employ. The matter is important because the action of the Criminal Courts where weak may be followed by an unwelcome increase of crime.

31. In conclusion the Chief Commissioner has to offer the acknowledgments of the Administration to the Judicial Commissioner for the ability and experience which for so long have been continuously devoted to supervising the working of the Criminal Courts in the Province, and for the clear manner in which success or failure in individual districts in points of detail are set forth in the full Report now circulated for the information and guidance of all Courts.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. CHISHOLM,

Officiating Secretary.

W 30—263—380.

No. 453.

FROM,

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 28th March 1874.

SIR,

I have the honor to submit the report on the administration of Criminal Justice in these Provinces during the year 1873, together with the usual Statements.*

*IMPERIAL STATEMENTS.	PROVINCIAL STATEMENTS
B 1.—Tribunals.	II.—Trials, (Magisterial.)
B 2.—Offences and persons.	III.—Punishments.
B 3.—Trials.	IV.—Fine Accounts.
B 4.—Punishments.	V.—Durations (Magisterial.)
B 5.—Appeals.	VI.—Witnesses Do.
B 11.—Juries and Assessors.	VII.—Appeals &c.

2. The subject will be treated as usual under the following Sections:—

A.—The state of crime (Statement B 2.)

B.— The Tribunals (Statement B 1.)

C.—The distribution of business among the several classes of Courts, Statement B 3)

D.—The result of trial in the Courts of original jurisdiction, (Statements B 2 and II.)

E.—Punishments (Statements B 4, III and IV.)

F.—Witnesses, (Statement VI.)

G.—Appeals, reference, and revision (Statements B 5 and VII.)

H.—Duration of cases (Statements B 3 and V.)

A.—The State of Crime.

3. The reported crime of 1872 and 1873 is compared in abstract in the following Table under the main heads of Statement B 2 :—

In the aggregate

Description of Offence.	1872.	1873.
Class I.		
Offences against the State ...	1	2
" relating to coin, stamps, weights and measures	198	219
" against Public Justice ..	620	665
" by Public servants .	145	123
" false evidence, false complaint or claim, and forgery	116	130
" relating to the public peace ..	219	268
Public nuisances ..	3,464	3,218
Class II		
Offences against the person (serious) ...	1,074	1,220
Minor offences against the person ...	10,161	9,656
Class III.		
Offences against property with violence ..	8,431	8,420
" " without violence ..	16,707	16,500
Malicious offences ..	1,254	1,487
Class IV.		
Offences against the Indian Penal or Criminal Procedure Codes not included in the above Classes ..	364	619
Other offences against special Laws	2,114	2,266
Total ...	44,868	44,793

4. Crime would thus appear to have been somewhat less prevalent on the whole than in 1872. The following extracts from the local reports are given :—

Cognizable crime.

[*Commissioner, Nagpur Division, para* 1.]—"The Chanda Report is just what a Deputy Commissioner who exercises as effective and intelligent a control over his district in Criminal matters, as Major Glasfurd does, might be expected to write The plan Major Glasfurd has for watching the progress of crime and the success of the Police and Courts in dealing with it is excellent, and I propose to communicate it to other Deputy Commissioners."

"A plan which brings the prominent features of Criminal administration before the eye at regular intervals will not do everything but will aid much and will be especially of use to young officers. Every Deputy Commissioner should review the fluctuations of crime and its punishment in his district at frequent regular intervals and should by some similar plan keep a watch on the action of the Courts also."

The following, by the Deputy Commissioner of Chanda, indicates the plan alluded to :—

(*Para* 22.)—"The subjoined table gives the result of Police action in the form in which

I scan it once every fortnight. I would observe that upon the whole there is a very general similarity between the action of the Police in both 1873 and 1872

Cognisable by Police.	Chanda district		Central Provinces for 1872.
	1872.	1873.	
Total number of cognisable offences	2,061	1,502	30,052
Number of cases in which aid was not asked	506	305	...
Percentage of cases in which aid was not asked to cases reported ..	24·5	20 3	18·
Number of cases investigated	1,740	1,329	..
Cases in which arrests were made	873	629	..
Percentage of cases in which arrests were made to total cases investigated	50·2	47·3	..
Number of persons arrested	1,422	980	..
Number of persons convicted	936	623	..
Percentage of persons convicted to persons arrested	65·8	63·6	72·
House-breaking and Thefts.			
Total number of cases reported	1,697	1,143	...
Number of cases in which aid was not asked	506	300	..
Percentage of cases in which aid was not asked	29·8	26·2	..
Number of cases investigated	1,300	929	..
Cases in which arrests were made	543	354	..
Percentage of cases in which arrests were made to total cases investigated	41·1	38·1	..
Number of persons arrested	872	551	..
Number of persons convicted	616	373	..
Percentage of persons convicted to persons arrested . ..	70·6	67·7	75·

[*Commissioner, Nagpur Division, para.* 8.]—"The next table is intended to show what success has been had in dealing with the chief cognizable crimes, viz. –house-breaking and theft, and the result is that for every 100 crimes committed 53·9 persons appeared before the Courts and 42·5 were sentenced. In Wardha the Police have certainly been particularly successful, but it is possible that crime has been less fully reported than in adjoining districts:—

Districts.	Number of cases reported	Arrested No.	Convicted No.	Remarks.
Nagpur ...	1,835	1,188 64 7	970 52·8	The lower figures show percentages calculated on the entries in column 2.
Wardha ...	756	542 71 6	407 53·8	
Chanda ...	1,162	537 46·2	401 34·5	
Bhandara ..	1,184	540 45·6	448 37·8	
Balaghat ...	863	318	248	
Total ...	5,800	3,125 53·9	2,474 42 5	

[*Additional Commissioner, Nagpur Division, paras.* 4, 5.]

(*Para.* 4.)—"First, as regards Nagpur.

"The total reported crime is slightly in excess of that for 1872, and the Deputy Commissioner accounts for the increase of 42 offences by the fact that in 1872 the Crime Registers were closed on the 23rd December, and on the year under report kept open to the end.

"Under Class II., offences against the person, serious, there is an increase of 12 cases, but in minor offences against the person a decrease of 172 cases.

"Under Class III. against property with violence, a decrease of 49 cases, and without violence an increase of 167 cases For the decrease in the minor offences against the person I would not attempt to account. One thing is certain, that however caused, fewer complaints under this head are satisfactory. The decrease of offences against property with violence being some 10 per cent, might also seem satisfactory, but that in cases without violence they have risen nearly 12 per cent.

"Under ordinary thefts and theft of cattle, there was an increase of 168 and 13 cases, total 181; but under house-breaking to commit theft, a decrease of 57, and thus perhaps the only regrettable feature in the return is an increase of 1 under the head of dacoities and 4 in robberies. Major Smith has alluded to this in his 9th para. This class of crime increased very much at the beginning of this year and has now for some time past as suddenly ceased, but the Police seem to have been very unsuccessful in apprehensions, and the origin &c. of these crimes is at present under enquiry. I am myself rather impressed with the belief that Major Vandergucht has been praiseworthily particular in insisting that a spade shall be called a spade, and that but for this, many of the offences might not have been classed in the category they have been. Major Smith's remarks on the apathy of landlords might be dwelt upon at much length, The case I fear is rare in which they afford us the aid the Administration is entitled to look for at their hands, and their responsibilities in Police matters here and elsewhere no doubt require to be very prominently impressed upon them. They have got into a habit of looking only to the Police and should I think be made to understand that in the case of crimes occurring with violence, we look to the head man of the village or his representative to oppose or if that is not possible, pursue and arrest the criminals. I have no hesitation in thinking that if the responsibilities and duties of landlords had been better defined by us than it ever has been we should have less of this class of crime.

BHANDARA.

(*Para.* 5.)—"The total number of offences is also slightly in excess of those of 1872. But the Statements do not show well, for under the headings 111 and 112 house-breaking we have an increase of 142 cases, and in theft of cattle and ordinary theft only a decrease of 56; and again I find 3 cases of dacoity to none in 1872 and 5 cases of robbery to 3 in 1872. I am however glad to note that the dacoity cases were of the lightest kind and can only be called such from the fact that 5 people were concerned.

"The Deputy Commissioner has attempted no explanation of the increase in the more serious class of crime, and I am myself unable to do so. But as a rule it is I think unsafe to attempt to account for it when the figures do not go beyond what we may accept as natural fluctuations in a certain class of crime."

On the same subject the Deputy Commissioner of Nagpur writes as follows :—

(*Para.* 9.)—" * * * The increase under dacoity and robbery is a matter of serious concern. We have grounds for believing that the perpetrators of these outrages were either bad characters of Nagpur and Kamthi, or wandering gangs from other districts, and the circumstances of almost every case show that if the head-man of the village visited, had called out his villagers, had passed on the news to the neighbouring villages, and had pursued the offenders, some at least of the robbers would have been captured, and a speedy stop put to this class of crime. The want of resolute action doubtless owes its origin to that absenteeism among Malguzars and that disintegration of authority which have followed upon the breaking up of the ancient system of village administration; but measures are being taken to endeavour to obtain from landholders a better discharge of their executive duties, and if those endeavours prove successful, then we may count with considerable confidence upon would be robbers hesitating before they attempt attacks in which the violence will not as hitherto be all on their own side."

The Judicial Commissioner does not know what the measures referred to are. But they should not go beyond the Law. Both the preceding extracts, as well as a remark in para. 21 of the Annual Police Report as to landholders giving notice to the Police of change of residence by suspected characters, indicate an inclination to stretch the obligations of landholders beyond due limits.

[*Additional Commissioner, Nagpur Division, paras. 6 to 8.*]

WARDHA.

(*Para.* 6.)—"The total number of offences reported has decreased by 101 or some 5 per cent. There has been a marked decrease under public nuisances, which, in so far as it may represent greater discrimination in dealing with these cases, is satisfactory.

"Under Class II., serious offences against the person show a large, and minor offences a considerable increase.

"Under Class III., offences against property with violence show a small increase, and without violence a decrease. The increases therefore so far as they go are in the more serious crimes, chiefly those against the person, and the decrease is confined to minor offences. On the whole no special remark is called for on the state of crime."

CHANDA.

(*Para.* 7.)—"The total number of offences has decreased by 425 or close on 18 per cent, and the noticeable feature is the following:—

	1872.	1873.	Decrease.
"Class III., offences against property with violence ...	500	316	184
ditto. with violence ...	1,344	953	391
Decrease ...			575

"Such a decrease is very remarkable. No others call for remark, and Major Glasfurd has been at much pains to show the cause.

"In 1872 Chanda showed as great an increase as it now shows a decrease, and the causes assigned by Major Glasfurd were high prices and better reporting. Both Mr. Jones and the Chief Commissioner accepted the latter reason as the probable cause, and did not attach much weight to the former, but in his 10th to 19th paras. inclusive Major Glasfurd has I think fairly established two facts almost to demonstration:—

"(1.)—That the report of crime has been as fully made as it was in 1872.

"(2.)—That the decrease in this class of crime is most certainly traceable to the decrease in the price of food.

"From the table given in the 19th para., I have calculated the average price of food for the two years, and the following is the result:—

	Total of thefts and house-breaking.	Number of grain thefts.	Average price of food. Seers.	Chittaks
1872 ...	1,727	667	16	14
1873 ..	1,160	388	23	11
	567	279	8	13

"With the above before me, and the fact that out of the total number of 1,158 cases of house-breaking and theft, 517 or 44·6 per cent were thefts below Rs. 1 in value, I see every reason to believe not only that crime has been most fully reported, but that the decrease must be due to the decrease in prices.

Major Glasfurd's remarks on the state of crime down to the end of his 27th para. are all thoroughly to the point, and I consider there can be no doubt the decrease of crime under the heads alluded to has been real, and is a source of congratulation. The only notable increases are under public nuisances, and minor offences against the person. The increase in the former might have been explained; but Major Glasfurd's report, so full in all other respects, has omitted to notice this.

BALAGHAT.

(*Para.* 8.)—" I can come to no absolute conclusion as to the state of crime in this district; under every class of offences there is naturally an increase in the number reported, caused by the transfer of the Katangi Tahsili from Seoni from the 1st April 1873; but whether judged of as a whole on the total number of offences, or the number under each class separately, the increase does not seem commensurate to the proportion of the transferred population, which from 1,95,008 has risen to 3,16,007, or an increase of 120,999. The 1st Quarter's returns, however, are not included in the statements, and all that I can say is that I see no reason to suppose there has been any increase of crime."

[*Commissioner, Jabalpur Division : paras. 2 to 12, also para.* 16.]

(*Para.* 2.)—* * * " On the whole there has been a decrease in the number of offences reported from 14,221 to 13,751. It is to be found mainly in the districts of Jabalpur and Damoh—though in Mandla there is a reduction of 8 offences. In Jabalpur and Damoh the percentage of decrease amounts to 8·8 and 20 8 respectively. The districts of Sagar and Seoni on the other hand show an increase. In Seoni this would appear from the statements to have amounted to 8·3 per cent; but the actual increase has been even still greater. Statistics of 1873 include the cases of the Katangi Tahsil (transferred to Balaghat in April 1873) for three months only. If the cases of this Tahsil for the remaining 9 months of 1872 (251 in number) be excluded from the statistics for 1872 the increase in crime in the Seoni district will amount to 20 per cent."

(*Para.* 3.)—" To take each district separately, in Jabalpur the decrease is entirely due to the falling off in prosecutions for nuisances, which have decreased from 1,327 to 956. On the other hand some increase has occurred in offences which it would have been more satisfactory to see prevented. Thus offences against property without violence rose from 1,219 to 1,329, and ordinary thefts from 923 to 1,046. The Deputy Commissioner has not offered any explanation of the increase, which is after all unimportant."

(*Para.* 4.)—" In Sagar the increase is mainly due to the growth of prosecutions for nuisances in the town and cantonment of Sagar, and for breach of the Salt and Stamp laws, the cases under these headings having been as noted in the margin. In crime of other descriptions there has been much the usual amount of fluctuation, and no special remark seems called for. I do not think that the prosecutions for nuisances have been too numerous for a town and cantonment like those at Sagar, where cleanliness and order are indispensable."

Nuisances.	
1872	1873
251	338
Salt and Stamp Laws.	
136	194

(*Para* 5.)—" In Damoh the decrease has occurred chiefly in nuisances, minor offences against the person, especially assaults, ordinary thefts, cattle thefts, and cattle trespasses; while there has been an increase of 91 cases of house-breaking. On observing the frequency of this description of crime, the Deputy Commissioner examined the records and found that in many instances, especially where old offenders were concerned, the sentences were still inadequate. He took steps to rectify this error, and it may be hoped that the effects will be apparent in next year's returns."

(*Para.* 6.)—" Notwithstanding the transfer of the Tahsil of Katangi to the Balaghat district at the close of the first quarter of the year, there has been a large increase in the amount of crime reported during the year in Seoni. It occurs chiefly in cognizable offences against property, ordinary thefts having risen from 446 to 617 cases. It will be observed that the Deputy Commissioner attributes the increase

entirely to crime having been better reported during the year It is in the Judicial Commissioner's knowledge that a corrupt organization has been discovered among the Seoni Police, by which many offences were committed on their own account, in addition to concealing the offences of others The exposure of their misdoings has directly added to the returns of crime, and has also had an effect on Police reporting So that the increase in the Seoni returns is one of crime reported, not of crime committed"

(*Para* 7)—"In the aggregate there has been an increase of but 8 cases in the Mandla district, but I find here also ordinary thefts increased from 310 to 403 For this increase the Deputy Commissioner accounts thus —'Last year the village Kotwars, under pressure from the Chief Constables, some of whom had been severely taken to task for omissions in their reports, took to reporting every offence, however petty, and without any reference to the wishes of the person against whom it had been committed, the fashion then set is still in vogue, and is, I think, quite sufficient to account for the increase under the head 'ordinary theft'"

(*Para* 8)—"I give in the margin a Statement showing the percentage of crimes against property to population in each district Thus Mandla with a population of only 45 to the square mile is pre-eminent in this description of crime, whilst Sagar with a population of 131 to the square mile has more offences against property than Jabalpur with a population of 135, and Seoni with a population of 113 shows less crime than Damoh with 96 The inference would be that crime was still over-reported in Mandla, and probably under-reported in Jabalpur"

District	Population	Total house breaking, thefts ordinary and cattle thefts	Percentage of Crime to Population
Jabalpur	528,859	1,791	33
Sagar	527,725	2,080	39
Damoh	269 612	866	·32
Seoni	407 330	1,223	30
Mandla ..	213,018	903	42
Total		6,862	

(*Para* 10)—"Jabalpur still has the largest number in proportion to its population of cases of grievous hurt and hurt by dangerous weapons, and of dishonest misappropriation of property, and criminal breach of trust This is due, I believe, as mentioned last year, to the large number of its floating population The number of prosecutions for Municipal offences has decreased at Jabalpur, though it is still large The Sadr Bazar is so close to the quarters of the European Troops that it is absolutely necessary to keep its precincts clean It is asserted that the prosecutions have helped to maintain the conservancy of the Station, and public health has undoubtedly been good for the past two years I observe that in Sagar also the Cantonment authorities have been more active than formerly in maintaining conservancy The fines imposed are trifling, seldom exceeding 4 annas Even this small amount is heavy for poor people to pay, but I fear that nothing but continued pressure will be of any avail in enforcing rules which however necessary, are so opposed to native habits The Magistrate of the district should, however, keep a closer watch over these cases, and satisfy himself that the regulation of nuisances is even and continuous, for intermittent severity would be in every respect injurious."

(*Para* 11)—"The difference in the number of house-trespasses and thefts ordinary is so great in Jabalpur and Sagar as to give rise to the suspicion that in Sagar many cases which are classed under house-breaking are in Jabalpur described as ordinary thefts In Sagar there were 1,046 cases of house-breaking, while in Jabalpur there were only 616

(*Para* 12)—"Cattle thefts have increased in the aggregate In Sagar there is a system of registering all sales of cattle in the Municipal towns, the effect of which is not so apparent as might be expected Possibly it aids detection, but *prima facie* it does not seem to diminish crime Reported cattle thefts are not, however, always

criminal offences. It is not uncommon for owners who find that their cattle are missing, though the cattle may have merely strayed, to report the case at the Police post in the hope of putting the Police on the alert."

(*Para.* 16.)—" The prosecutions for breach of the Excise laws in Seoni and Mandla have been numerous. The Deputy Commissioner of Mandla states that the Police had been allowed to take the initiative in bringing cases forward; but that they are now instructed not to take up cases of illicit manufacture of spirits except on the written complaint of the Abkari farmers or their agents, upon whom now falls all the odium of prosecutions for which their own greed too often gives the occasion."

[*Commissioner, Narbada Division, paras.* 5 *to* 9, 12, 15, 19, 21.]

(*Para.* 5.)—The table below compares the total number of offences reported in each district during the past two years :—

District.	1872.	1873.	Percentage of increase and decrease.		
			Increase.	De-crease.	
Hoshangabad ...	4,307	4,644	337	..	7·3 Increase.
Narsinghpur ...	3,249	2,812	...	437	15·6 Decrease.
Nimar ...	2,342	2,022	...	320	15·3 Do.
Chhindwara ...	1,557	1,473	...	84	6·7 Do,
Betul ...	1,460	1,764	304	..	17·5 Increase.

" Most Deputy Commissioners claim increased and increasing completeness in the reporting of offences cognizable by the Police, and judging from the great number of very petty offences against property reported, and also from the known efforts of most District Magistrates and Police Superintendents to ensure accuracy, I myself entertain no doubt that the sum totals here exhibited are not much under the truth. In some respects, it need not be said, they are much above the truth, unles we make a most marked distinction between 'offences reported' and 'offences actually occurred.' I allude of course to petty offences charged on complaint, 'assaults' and the like, where the complaints are so often false altogether."

(*Para.* 6.)—" Of the total number of these offences reported in the five districts during the year under report, 114 belong to classes called 'heinous.' Comparing the figures of the year with those of 1872, I note that murders and culpable homicides decreased by 6 cases, dacoities by 4 (there being but 4 altogether), robberies and attempts at robbery by 9 and rapes by 7. The only increase is under 'grievous hurt,' of which there were in all 51 cases.

" The total number of these offences viz :—

Murders and culpable homicides ...	34
Dacoities ...	4
Robberies and attempts ...	21
Grievous hurt ...	51
Rapes ...	4

are certainly small for a population over a million and half. Especially gratifying is the decrease in dacoities and robberies and the absolutely low figures at which these offences have stood for some years past. There are more cases of 'grievous hurt' in Narsinghpur than in any other district and the Deputy Commissioner fears that this (comparatively) large number, may be traced to the most inadequate sentences' which he found at least one Tahsildar and one Honorary Magistrate passing in such cases; and Major Plowden reports that he has now given orders that these offences shall be tried only by Magistrates of the 1st Class. The Tahsildar alluded to is the late Tahsildar of Gadarwara, Gholam Mohamed Khan; and the Deputy Commissioner is not without right on his side in complaining of this Magistrate's tendency to over leniency. I do not think, however, that there was any need to pass the special order in question. It would have been sufficient if at most the individual Magistrate referred to had been instructed not to take up the class of cases in question.

(*Para* 7)—" I am glad to say that Police action in all four dacoity cases was successful The Deputy Commissioner of Nimar gives no account of the case in his district The one case in Hoshangabad and the two in Chhindwara are known to me They were none of them aggravated cases

(*Para* 8)—" In regard to detection of murders, and attempts, Police action was good in three out of the four districts where this class of offences occurred. The Hoshangabad results are not very good.

(*Para* 9)—" Passing on to 'house-breaking' and 'house trespass with intent to commit theft,' 'thefts' and 'dishonestly receiving stolen property' the detailed Statement below shows a marked decrease in crime in Nimar and Narsinghpur, and also some decrease in Chhindwara In Hoshangabad the total for each year is the same as last year, and there is some increase in Betul —

District	House trespass or house breaking to commit theft		Theft of cattle		Theft ordinary		Dishonestly receiving stolen property		Total	
	1872	1873	1872	1873	1872	1873	1872	1873	1872	1873
Hoshangabad	772	872	101	109	1,668	1,550	16	26	2,557	2,557
Narsinghpur ...	647	410	79	71	1,130	968	13	10	1,869	1,489
Nimar ..	416	309	68	34	897	599	21	24	1,402	960
Chhindwara	197	233	37	56	677	535	7	15	916	839
Betul	361	418	14	23	564	606	5	13	944	1,060
Total ..	2 393	2,272	299	293	4,936	4,258	62	88	7,690	6,911

" Prosecutions for dishonestly receiving stolen property are somewhat remarkably few in Narsinghpur for a district where Criminal Judicial and Police administration is so rigorous In no district does the prosecution of this offence appear otherwise than rather small, proportionately to the amount of other offences against property The fact, I think, is that very frequently 'receivers' are prosecuted and convicted as the actual thieves

* * * *

(*Para* 12)—" In regard to the manner in which the Police have been able to deal with theft and cognate offences, in so far as regards the first step, the bringing up to Courts of Justice persons presumably the offenders, it will be seen from the following table that here again the Narsinghpur Police administration shows signs of strength, while that of Hoshangabad shows signs of weakness.

Class III Side headings 111 113, 114 to 117. Theft of all sorts and house-breaking and trespass with intent to commit theft —

District	Offences reported	Cases brought to trial.
Hoshangabad	2,557	604
Narsinghpur	1,489	594
Nimar	966	320
Chhindwara	839	284
Betul	1,060	293

" The percentage of offences 'brought to trial' to 'offences reported' being in the Narsinghpur district 39 8, and in Hoshangabad only 23 6. The Betul percentage too is poor, being only 27 6

(*Para.* 15.)—"In the whole Division there were 852 persons prosecuted for nuisances under the Penal Code and Municipal and Cantonment Acts. The number was highest in Nimar, 226; and next highest in Narsinghpur 204. Generally I do not think that too rigorous action is taken by the Magistrates in these cases in Municipal or Police. In cases of nuisances under the Penal Code I have sometimes seen and checked undue disposition to make a 'nuisance' out of what was not legally a nuisance at all. These nuisance cases generally have increased in Nimar from the cause pointed out by Colonel Playfair, viz., the necessary extension of the provisions of Section 34 of the Police Act to Mortakka. The increase in Hoshangabad is as shown by the Deputy Commissioner 'more apparent than real.'

* * * *

Mischief by fire.

(*Para.* 19.)—"It is curious to contrast Narsinghpur (16 cases) with Hoshangabad (only 2 cases). The total increase for the Divison is large, but this offence was at a very low figure last year. And in regard to the 14 reported 'offences' in Betul, it may be conjectured that some of them were really accidental fires, for only one apprehension was made in the 14 cases.

* * * * *

Breaches of Forest law.

(*Para.* 21.)—"On this heading of offence it need only be remarked that the number of offences prosecuted seem rather high (30) in Chhindwara, where the old Farming system still obtains. The Deputy Commissioner says that the 'offences were most trivial.' If so perhaps some of these prosecutions need not have been undertaken.

[*Commissioner, Chhattisgarh Division.*]—"The cases coming under breaches of laws relating to salt are generally of a very petty nature. The Deputy Commissioners of Raipur and Sambalpur have expressed themselves very strongly on the demoralizing effect of the preventive arrangements. I can only say that I entirely endorse what they have respectively set forth."

[*Deputy Commissioner, Raipur, para.* 8.]—"The increase in salt cases is regrettable, even though it be due to a more thorough performance of their duties by the Customs Preventive officers. I trust the abolition of the Customs line is not far distant. Most of these cases are very petty, and greatly harass the people without any adequate result. Of 220 persons brought up 219 were convicted; most of them were very poor people with a trifling quantity of salt in their possession in excess of the seer allowed. The Customs line brings, out of receipts amounting to one lakh, only some eleven thousand rupees net revenue to Government. If the 219 persons punished in this district be added to those punished in Sambalpur and the total divided into eleven thousand, the amount of direct profit to Government for which it is necessary to fine or imprison one person will be ascertained."

[*Deputy Commissioner, Sambalpur, para.* 21.]—"Under this head there has been a decrease of 34 cases, and the number of persons convicted has also fallen from 267 to 209. This very satisfactory result has no doubt been due to the measures which were some time ago taken under the Chief Commissioner's instructions to facilitate the passage of duty-paid salt into the district, but there is still in many parts great difficulty experienced by the people in getting supplies of salt, and they are thus simply forced to take to smuggling and it is deplorable to find that still year after year more persons are convicted of this offence than of any other. During the past year very nearly one-fourth of the total number of persons convicted, were convicted under this single head. And then these persons did not belong to the criminal classes but to the ordinary cultivating classes—Koltas, Dumals and Gours; many also were women and mere children, and latterly there were a number from the neighbouring States of Sonepore and Patna, who because of the failure of the ricecrop in some parts of those states and the consequent rise in prices were induced to attempt to pass salt across the line in order to exchange it for rice. There can then be no doubt that the existence of the Customs line is at present a cause of constant trouble and demoralization to the people, and I fear that if at any time the slight scarcity of food which now prevails in some parts of the district below line at all increases in intensity it will become a source of serious political danger. Into the controversy that has lately arisen whether the Magistrates here were not too hard on the Customs officials and too lenient to the people, I need not now enter as all of the correspondence has lately been before you. The whole question of the salt trade of the district was also gone into by the Chief Commissioner on the occasion of his recent visit, and I have therefore now only to ex-

press the hope that it may soon be found practicable to abolish the line altogether or modify its constitution in such a manner as may lead to the eradication of the worst evils arising from its maintenance."

[*Commissioner, Chhattisgarh Division.*]—"Nothing abnormal took place during the year so as to give rise to the marked increase in the offences against property in the Raipur and Bilaspur districts, and considering that the circumstances of the two districts are almost precisely similar, it is rather remarkable that one Deputy Commissioner should attribute the increase to the greater prosperity of the people while the other believes the cause to lie in defective action of the Police."

5. Prosecutions under these heads largely increased. The following extracts from the Reports are in point:—

Vagrancy and bad livelihood.

[*Commissioner, Jabalpur Division, para.* 13.]—"In all districts more or less attention was paid to the subject of checking vagrancy and habitual crime. The Deputy Commissioner of Jabalpur thinks that the provisions of the law enacted for this purpose may be too freely used. He does not say whether he speaks from experience, but if so, the power of checking abuses is in his own hands. He is undoubtedly right in the opinion that these cases should not be taken up except on the authority of the higher Police officials. Otherwise the question is one of weighing evidence, on which no general suggestions would be of much value. In Sagar discrimination seems to have been exercised in this respect, for out of 26 persons brought up only 15 were convicted. The Deputy Commissioner says:—'In my opinion the Police are not altogether to blame, as it is very difficult to procure satisfactory proof in all cases of the sort. In many cases examined I found that the Police had good grounds for their action.'"

(*Para.* 14.)—"In Seoni the number of pure vagrancy cases is very high, and is not explained by the Deputy Commissioner, whose remarks apply chiefly to the bad livelihood cases. Under this last head I have no reason whatever to suppose that more has been done at Seoni than was absolutely necessary."

[*Deputy Commissioner, Jabalpur, para.* 3.]—* * * "Sixty-one cases of bad livelihood were sent in by the Police against 52 in 1872.

"The provisions of Chapter XXXVIII. of the Criminal Procedure Code are unquestionably of great utility, but their working requires I think to be carefully guarded.

"For instance it seems to me that no one but the higher grades of Police officers should decide whether a man should be sent up under these sections. As a rule I look with suspicion on cases of this kind no matter how complete, if a local policeman is the sole mover; but, recognizing this, the law on this point is the strongest aid we have in the interests of property. The danger is lest the Police should use their power under these sections as a set-off to their want of vigour in tracing and detecting crimes, and this is not an imaginary danger, when we reflect on the very wonderful ease with which evidence can be procured by native officials, especially when the evidence as in this class of cases deals with nothing tangible. I should prefer, however, to see the Police attack crime more by ferretting out the receivers of stolen property."

[*Commissioner, Narbada Division, para* 10.]—"The year was an ordinary one in respect to food-supply, and I have very little doubt that the Deputy Commissioners of Narsinghpur and Nimar are right in attributing much of the decrease in crime to the rigorous measures taken against 'bad characters.' In Nimar the proceedings which the Deputy Commissioner reports, were really much required. Vagrants and men of bad repute had for some time past been left too much uncared for by the Police, and I think the Deputy Commissioner has shown by his remarks and his figures that his proceedings were well judged. The Deputy Commissioner of Narsinghpur might doubtless be more temperate in describing his measures, and his phraseology is not always judiciously selected when he is on the subject of his 'Badmashes.' But his creditable zeal is I think duly kept within proper bounds in his actual dealings with them; and I believe that the strong and watchful Police administration of both Major Plowden and Lieutenant-Colone Playfair, is not open

to any real ground of objection. On the contrary they seem to me to be both entitled to high credit. Another point (and a most important one) which these Deputy Commissioners might both have mentioned, is the care with which 'previous convictions' are looked up and brought to bear on the sentences of old offenders in their districts.

(*Para.* 11)—" On this subject of proceedings against vagrants and bad characters, I note that Narsinghpur had 67 prosecutions, Hoshangabad 55, Nimar 52, Betul 25, and Chhindwara 15. The orders passed by the Magistrates in Narsinghpur, Nimar, Chhindwara and Betul, seem to justify the proceedings taken by the Police. Not so, however in Hoshangabad, where of 31 persons sent up by the Police for vagrancy, no less than 17 were released without orders to find security, and of 24 persons sent up for 'bad habit and repute,' 6 were similarly released, (11 being pending at the close of the year.) The Deputy Commissioner of Hoshangabad admits that in many instances the proceedings were injudicious; and 'injudicious' prosecutions here, are far worse than none, even in reference merely to the general aim in view and without speaking of the individual injustice involved. The fact is, that proper principles in directing these prosecutions should be specially laid down by the District Magistrate himself for the guidance of the District Superintendent, and so should reach the Police subordinate officers; and this is what I am sure has been done this year in Nimar. In Narsinghpur the District Superintendent, Captain Sutherland, is so experienced, and so able to take a broad, and not merely professional view of the matter, that no special instruction has been needed for him."

[*Deputy Commissioner, Nimar, paras.* 11 *to* 16.]

(*Para.* 11.)—" After the very strong remarks expressed by me in my last year's report, written but a few days after I had assumed charge of the district, it behoved me to take action in the matter of persons of notoriously bad character within our limits. And in this I was most ably and warmly seconded by Mr. Anderson, then District Superintendent of Police.

(*Para.* 12.)—" Early in February I was in Burhanpur, where thefts and house-breakings had greatly increased during the previous year. On enquiry of the respectable and influential inhabitants as to how they accounted for this, they one and all told me that there were *numbers* of men of notoriously bad character, who were allowed to go about unchallanged by the Police, and that these men were suspected to be mixed up more or less in all the burglaries and thefts not only of Burhanpur, but of a wide circle round about. They without hesitation gave me the names of a score of men of this kind, yet when these same respectable parties came before me as witnesses, they fenced and beat about the bush, nervously afraid lest their evidence against one should make themselves a mark for the fraternity generally.

(*Para.* 13.)—" Mr. Anderson himself got up the cases, and during the month of February 11 persons of notoriously bad character were arrested and security demanded of them, which in every case they were unable to give, though fixed at as low a a figure as was consistent with safety.

(*Para.* 14.)—" Many notoriously bad characters absconded when they found they were being 'sought for,' but some of them have returned from time to time and have been duly proceeded against.

(*Para.* 15.)—Our first efforts were directed to clearing the district, of men by habit and repute thieves, and after this to keeping a careful watch on those vagrants who from time to time turn up, whose conduct is in every way suspicious, who have no ostensible means of subsistence, and who cannot give a satisfactory account of themselves.

(*Para.* 16.)—The result has been that whilst the well known bad characters are looked after, and as opportunity offers brought before the Magistrate, the Police are also not neglectful of those outsiders who though unknown are suspicious characters. The detail in the margin* will show that although at first, action was necessarily energetic the provisions of Sections 504, 505, Criminal Procedure Code are not worked, as the Judicial Commissioner observed in last year's report, with regard to another district, spasmodically."

*	1st Qr.	2nd Qr.	3rd Qr.	4th Qr.
Section 504	.	11	7	0
„ 505	15	3	5	4

[*Deputy Commissioner, Narsinghpur, para.* 37.]—"Repressive action in regard to known bad characters has been continued, and 67 persons were called upon to give security for good behaviour. Of this number, seven were discharged and the rest bound over in various sureties or sent to Jail.

"These prosecutions have not been made in a general or haphazard fashion, crime has been carefully watched in the various Police circles, and when it was found to be on the increase, or more noticeably prevalent in any particular circle, the known bad characters have been looked up. This I hold to be the right way of dealing with these cases."

[*Deputy Commissioner, Hoshangabad, para.* 11.]—"There is one other point in connection with the action of the Police which must be noticed, I mean the prosecutions for vagrancy and bad livelihood. Efforts have been made to apprehend the vagrants &c. supposed to have come into the eastern part of the district, but the Police do not appear to have acted with discrimination in their arrests, and the consequence is that a large proportion of acquittals have occurred. I have examined many of these cases, and certainly in those I saw the Magistrates have no option but to acquit; there was no evidence against the accused except that he had been once before convicted of theft or some other offence, and in most of the cases the Malguzar and other people of the village spoke up in defence of the accused."

In respect of the suggestions of the Deputy Commissioner of Jabalpur, to the effect that prosecutions for vagrancy or bad livelihood should be initiated by higher Police officials only, a communication has been made to the Inspector General of Police.

Public Nuisances.

6. The Judicial Commissioner is glad to see that the number of prosecutions for nuisances have been more moderate in the districts in which they were thought to be excessive in 1872, especially in Jabalpur and Raipur.

Reporting of crime in Sambalpur.

7. The following extracts from the Sambalpur District Report on the reporting of crime in the Zamindaries of that district have an importance, especially coming as they do from an officer of unusually extended local knowledge and experience, [paras. 5, 6.]

[*Deputy Commissioner, Sambalpur, para* 5.]—"There is one question to which however I think it is necessary that I should here advert, as it was prominently raised by your predecessor in the Report for 1872, and this is, whether the figures given in our returns represent with fair accuracy the crime committed during the year. Major Smith was of opinion that crime is in this Division never correctly reported, and his reasons for so thinking in regard to this district were, that in the Zamindaries the offences reported were very few in proportion to the population, that a case of murder had occurred in the Zamindari of Phuljhar which was concealed by the Police of that estate; and that in the Khalsa, although each village is provided with a Jhankhar, it was shown that crime was not correctly reported by the fact that the arrest of two persons brought to light no less than 38 thefts which had not been previously reported. Now as regards the Zamindaries here it has never been asserted, or as far as I am aware believed that the same system of reporting crime is observed in them as in the Khalsa. In all of them the Zamindars maintain their own Police, but these are not men enlisted under Act V. of 1861, and diaries and crime registers are not maintained, as at the Station-houses in the Khalsa, so that as a matter of fact it is only those Zamindari cases in which offenders are arrested and challaned or which are taken up by the Police at the request of the Zamindars or by orders of the Magistrate, that come to be shown in our returns. It is thus perfectly true then that a great many petty cases which occur in these Zamindaries may be said not to be reported, but this is not the fault of the Police, who have nothing to do with such cases, and is merely a part of a well recognized system which has been in force ever since this district has formed a part of the Central Provinces and which has been found to work well, and should not I think be lightly altered. As regards heinous offences, however, the case is quite different; such cases the Zamindars are required to report at once to the nearest Police post, and I do not think that any of them ever neglect this duty.

"The particular case of murder which occurred in Phuljhar does not seem to me in any way to establish that the reverse of this is ever the case. The man who was murdered had absconded to avoid being arrested on a warrant which had been issued against him by the Court of the Tahsildar of Barghar, and was for some time in hiding in the wildest and most remote part of the estate. Finally he determined on leaving the district altogether, and was actually on his way into Saran gurh when the four men whom he had taken with him as guides and carriers, and who knew that he had a large sum of money with him, took him out of his road and led him up to the top of a high hill, and there, as he lay asleep worn out by fatigue and thirst, murdered him by dashing out his brains with a stone, and then burnt his dead body. The men who murdered him, on their trial said that they had been instigated by his mistress, but there was no proof of this, and the woman has now been acquitted. Then again the Darogah of Police who was by Major Smith's order put on his trial for concealing the offence, had to be discharged, as the case against him broke down completely. The case was consequently one which might have occurred anywhere without being discovered, and although in Phuljhar there has, as you are aware, been great mismanagement and disorder for some time back, I do not think that even there heinous crimes have ever been suppressed and I can certainly say that such has not been the case in the other Zamindaries. With respect to the Khalsa also I would submit that an examination of the circumstances connected with the disclosures made by the two persons referred to, does not lead to the conclusion that crime generally is not correctly reported. I find that both of these persons when arrested by the Police in the cases which were first established against them were asked whether they had committed any other similar offences, and confessed to a number of petty thefts which they had committed in 1872 and also in previous years, one theft having been committed so far back as 1866. Some 10 of these cases had been previously reported and registered, but the others had not been reported, and the reason for this was that the property stolen had in every case been of very small value, consisting chiefly of ornaments and cooking utensils, and the owners were not exactly aware whether they had been stolen or merely lost or mislaid by their children, and therefore gave no intimation of their loss to the Gounteahs of their villages. Similar instances must I think be of frequent occurrence everywhere, and there are also no doubt many cases in which when a few stalks of sugar-cane or a few bundles of rice are taken from their fields or some articles of small value is abstracted from their houses, the people do not make a report of the theft; but surely this cannot be held to render our returns incorrect, and I can scarcely suppose that analogous cases such as the robbery of an orchard by a few boys or the pilfering of a pocket handkerchief often find a place in the crime returns of England. I however fully believe that all offences of which intimation is given to the Gounteah of a village are duly reported to the Police. The Gounteahs have no posible motive for concealing crime, and the greatest pains have been taken during the past few years to ensure regular and correct reports being made to the Police from every village by the Ganda or Chowkedar whose special duty this is. And I may here explain that though we have insisted on the Jhankar too assisting in the duty of the village watch and ward, his proper place and functions in the village community are those of the village priest.

(*Para.* 6.)—" I may also here repeat what I mentioned in my remarks on the Police report with regard to this question, viz. that I ordered a special enquiry to be made during the past year as to whether crime was generally reported correctly or not in this district, and though the Police officer who made the enquiry devoted more attention to the question whether crime reported was properly registered by the Police or not, enough was elicited to establish beyond a doubt that all serious crime was thoroughly well reported, and the Inspector General of Police himself observed to me that he thought there was no district in the Provinces in which so many very petty cases were reported to the Police. With reference to the remark in the Chief Commissioner's review on the Police Report for 1872, that the proportion of offences to population in this district was very small, I also submitted that in calculating this proportion the population of the Zamindaries should be excluded, and that then it would be found that the ratio was not lower here than in some other districts. I may now however add that I think that it is very probable that there is actually less crime in this district than in many other parts of the Provinces, and my reasons for so thinking are, that we have here not only a strong force of District Police, but also a much more complete system of village watch and ward, having as above mentioned both the Ganda and Jhankar to perform this duty. Then again the people are almost all

Hindus and natives of the district, Mohammadans and other foreigners forming scarcely a half per cent of the population. And lastly the village system here approaches in structure more nearly to that of the original Hindu village community as it has been described by Mr. Maine, than that prevailing in almost any part of India which has been for a long period under British rule. We have first the Gounteah or head of the village representing the dominant family, and under him what may be called a brotherhood of ryots, and by them the whole of the lands of a village are held and cultivated and the village itself inhabited. There is also as above mentioned an organised system of watch and ward, and there is a council of village elders presided over by the Gounteah for the settlement of such disputes as may arise. Under such a system then crime must be to some extent checked, for not only do the members of each community combine strongly for their own protection, but any one of them who is detected in a crime against society, loses the trust and esteem of his fellows and is often forced to leave the village. Speaking generally too, the members of the village communities are well to do, and have no great temptation to commit crime, and it may be said that none of the thefts occurring in this district are committed by persons holding the position of ryots. Some are no doubt committed by persons belonging to the ordinary cultivating classes, but these men are only labourers and farm servants, whilst by far the greater number of all such offences are perpetrated by the Gandas or Ghassias, who are socially outcastes and are never allowed to live within the actual village areas."

Over reporting of crime.

8. On the same subject of reporting crime, the remarks of the Commissioner of the Jabalpur Division have already been quoted to the effect that crime is sometimes 'over reported.' What is meant probably is that landholders are required to fulfil their legal obligation "to communicate * * any information * * respecting the commission of * * non-bailable offences" [Code of Criminal Procedure, Section 90] in respect of very petty offences whose prosecution was neither desired by aggrieved parties nor necessary on public grounds. The Judicial Commissioner believes, however, that no rules exist under which such obligations might be held waived, and until some such rules are issued the harassment of "over reporting," is likely to prevail. The subject seems to deserve consideration.

Action of Police in prosecuting reported crime.

9. Over-reporting "leads to another extravagance," viz. needless prosecution. In his annual report (para. 55) the Inspector General Police seems to admit that the Police do take up cases and prosecute them unnecessarily.

The Deputy Commissioner of Raipur has some remarks in a like sense, observing that it is no doubt a "temptation to policeman to bring up all cases, that they feel confident they will prosecute successfully:" the temptation being the securing good ratios of convictions. The Judicial Commissioner has heard like remarks elsewhere. The Commissioner of the Chhattisgarh Division does not agree with the Deputy Commissioner as to "the advisability of not prosecuting for theft of property of small value," observing that the amount of demoralization resulting from theft is pretty much the same whether the property stolen is of great or of small value," and that "if offenders in petty cases were allowed to go unpunished they would soon go on from bad to worse" During the year the Judicial Commissioner, when making special enquiry into the reasons for somewhat numerous sentences of two or three stripes or a few days' imprisonment, found that they were accounted for in great measure by the comparatively extreme pettiness of the offences. It would be surprising if these prosecutions had always been desired by private persons, and the Judicial Commissioner inclines to think that some measures may be desirable to check any tendency there may be on the part of the Police to prosecute unnecessarily the most trifling offences which are "over reported." The Inspector General of Police continuing the 55th para. of his report hopes "that the Police will now be given to understand that they are not obliged to take up cases in which the plaintiffs do not desire enquiry unless according to departmental rules it is obligatory on them to do so."

But there will always be the temptation to do so, as long as over-reporting prevails. Moreover the departmental rules and the subject are somewhat involved.

Revision of statistics.

10. Unnecessary prosecutions are perhaps in some degree induced by the indiscriminate way in which the statistics of Police work in connection with offences under the two main heads marginally cited* are received. The mass of these offences are of a comparatively unimportant character, petty grain thefts and lurking house-trespasses with intent to commit the pettiest offences; they fluctuate with the fluctuations of of the times, irrespective of Police administration, and they come to notice according, in a considerable degree, to strictness or laxity of reporting on the part of individual landholders. In the Police returns for 1873, offences under these two heads stand at 7,851 and 13,660 respectively. In bad years their numbers at once increase largely and similarly they drop at once to a normal figure on the return of good times. In either case it is only the fluctuations, extent and treatment of a fraction of them comprising thefts with preparation for causing death or hurt and restraint &c. and the worst house-breakings that are really important to the character of the Police administration. But at present failure here may be hidden by extra success in petty cases readily achieved by unnecessary prosecutions.

*I.—Lurking house-trespass or house-breaking with intent to commit an offence, or having made preparation for hurt.

II.—Theft ordinary.

Non-cognizable crime in 1872 and 1873.

11. The offences reported during 1872 and 1873 under some of the principal heads of non-cognizable crime are compared in the following table.

Description of Offence.	Number of Offences reported during	
	1872.	1873.
Making, using, or possessing false weights and measures ..	104	121
Omitting to give information of offence or giving false information ...	146	183
Taking valuable thing by or to influence public servant ..	41	48
Giving or fabricating false evidence ...	52	47
False charge of offence ..	17	20
Forgery or fraudulently using or possessing forged document.	16	28
Affray ...	187	197
Enticing a woman with criminal intent ..	155	206
Adultery ..	105	79
Hurt ..	425	762
Assault or use of criminal force ...	8,090	7,409
Criminal intimidation or insult ..	1,024	932
Defamation ...	335	243
Extortion ..	88	73
Dishonest misappropriation of property ..	216	259
Cheating ..	228	258
Mischief ordinary ...	220	246
Cattle trespass ...	324	229
Stamps ..	108	183

Under these heads non-cognizable crime would appear to have decreased as compared with 1872, chiefly under the heads of hurt, when taken with assault, also under criminal intimidation or insult, defamation and cases under the Cattle Trespass Act, and under no head does non cognizable crime appear to have increased to any material extent.

Offences relating to weights and measures

12. Sagar has the largest number of offences under this head, *viz*, 28, Nagpur comes next with 16, then Chanda with 14, and Hoshangabad and Nimar with 10 each. Bhandara and Sambalpur have none, Bhandara had none in 1872 also

Omitting to give or giving false information

13. There is a slight increase under this head Nimar and Chanda have each 23 cases The Deputy Commissioner of Chanda remarks as follows —

(*Para* 59)—" 23 offences were reported against 14 in 1872, being an increase of 64 per cent, 28 persons were arrested as compared with 20 in 1872, of whom 24 or 86 per cent were convicted against 80 per cent in 1872"

(*Para* 60.)—" All these persons were prosecuted after the Deputy Commissioner's express sanction, 20 cases were for furnishing false reports and 3 for neglecting to give information of the occurrence of crime"

(*Para.* 61)—" In the former the whole of the persons prosecuted were private individuals In the latter they were respectively a Chief Constable, a Malguzar, and a village Kotwal

(*Para* 62)—" The percentage of convictions will I hope be considered proof that proper discrimination was exercised in sanctioning these prosecutions, but I must again as last year record my opinion that the total number of cases is considerably below what it might be, and the fact that no less than 170 cases were struck off by the Magistrate's order as never having occurred at all I think strengthens the above view, even if we set aside the extreme proneness of the people of this country to bring entirely false or grossly exaggerated charges through private malice"

And the Deputy Commissioner of Nimar writes :—

(*Para* 5)— * * * " I would observe that heretofore there had been a laxness in regard to the prosecution of offences under this head I believe that offences of this nature were quite as common formerly as now but it was not considered necessary to take cognizance of such breaches I found that the course of public justice was impeded and that Criminal and Civil Judges and the officials connected with their Courts were not looked upon with sufficient respect, and that the people of Nimar including even those of higher position were inclined to treat these public servants with indignity if not contempt. I also found that the District Superintendent of Police had, in the previous year, complained bitterly that not only had he not received that assistance from those who by law were bound to render it, to wit, landed proprietors and their village servants, but that they had proved positively obstructive"

(*Para.* 6)—" It therefore in my opinion became necessary to take cognizance of all such breaches, and I ordered accordingly, which accounts for the number of persons actually brought to trial for offences of this nature A considerable number of these offences were taken cognizance of and tried by myself, and I do not think that I did more than vindicate the dignity of the law"

(*Para.* 7)—" That this action has had a good effect is evidenced by the fact that whereas in the first quarter of the year the prosecutions were 16 in number, in the last quarter they were only 3, having each quarter shown a decrease"

On the other hand the Deputy Commissioner of Bilaspur writes in reference to his 16 cases as follows :—

(*Para.* 11)—" Omitting to give information or giving false information, 16 offences reported in the present year against 8 in the former The Police are far too ready to ask for prosecutions being entertained. It is only I think in the very clearest and rather outrageous cases that prosecutions should be allowed When a Malguzar legally bound to supply information goes out of his way to suppress the same, a prosecution as an example may be justified, even when the offence regarding which the information has been suppressed is trivial, punishments generally should be very light"

"Again when the people quarrel violently and in the most palpable way (as often occurs) one of them runs off to the Police and charges the other with an absurd and impossible theft, and puts the Government machinery in motion and worries his adversary by a Police investigation, it is sometimes necessary to make an example and to authorize a prosecution by the Police rather than to grant the offender impunity or to urge the aggrieved party to prosecute tediously for defamation or sue for damages"

(*Para* 12)—"One case in which a prosecution for intentionally omitting to give information regarding an offence wherein one of our hill Zamindars together with a subordinate Malguzar was tried summarily and punished had lately been referred for revision, and it is hoped that the responsibility for reporting the commission of offences in these extensive, wild and distant tracts will be set on a better, or at least a clearer basis"

In the case alluded to here the Chief Commissioner remitted the sentence, and concurred with the Deputy Commissioner in regarding the action of the previous Deputy Commissioner as very ill-judged

The law on the subject of giving information became clear during the year in the new Code of Criminal Procedure, Sections 89, 90 Section 90 is very stringent, going so far as to bind every mere occupier of land to communicate to the nearest Magistrate or Police Station any information which he may obtain respecting the commission or even the intent to commit any non-bailable offence at or near the village in which he occupies land, and very good judgment in prosecuting is requisite The Commissioner of the Narbada Division notes with reference to the above quoted remarks of the Deputy Commissioner of Nimar :—

"The principle on which we ought to proceed is to punish severely all cases of open contumacy and defiance of the law, but to be very moderate in cases of mere *laches* I hope that Colonel Playfair was mindful of this principle"

False evidence
False charges.
Forgery

14 The figures remain low. For false evidence there were no prosecutions in Bhandara, Jabalpur, Sagar, Mandla, Sambalpur, and Bilaspur. The Deputy Commissioner of Jabalpur has the following practical remarks on the subject .—

(*Para* 3) * * "This decrease can hardly be considered in all respects satisfactory, for there is much reason to doubt if offences of this class are diminishing During the year no case of giving false evidence, and but two of forgery were brought to trial I have not pressed upon the Magistrates the necessity of zealous action in the matter of bringing to light cases of giving false evidence The difficulties that surround this class of offence, the probability, nay extreme likelihood of prosecutions being bolstered by a still more extended use of perjury, all seem to me more calculated to increase than diminish the evil Flagrant cases I would of course not pass over, but the chief safe-guard seems to lie in the close and searching examination of evidence coupled with unsparing rejection of all concerning which strong grounds can be shown for questioning its truth.

"Action based on these views has to my mind a greater chance of eliminating falsehood than that which from the nature of things must be spasmodic and based to a great extent on the temperament and mental colour of the Criminal and Civil Judges Prosecute every case in which there is reason to believe false evidence has been resorted to, and for one you detect ten will escape with the result that the successful perjurer will congratulate himself on his superior cleverness, and be emboldened with a larger experience to try again , on the other hand prove that questionable evidence will not gain its end, and I think a habit and desire of truth may eventually grow and develope in strength There is great truth in the adage that 'Honesty is the best policy,' and the promptings of self interest will in time make it apparent to all The subject is one of great importance and moreover vitally affects the respectability of our Courts I am aware that my opinions are

not in unison with those of the majority of Magistrates of experience, still the danger of over-zealous action is great, and the result among a people neither from habit accurate in their statements, and often failing in a moral appreciation of truth, would I think not impossibly lead to greater evils than those we try to combat

"It would of course be easy to bring more offences of this nature to light, but I have already given my reasons for being somewhat adverse to doing so"

The Commissioner of the Jabalpur Division has the following remarks

(*Para* 17)—"Prosecutions for false evidence have hardly been attempted except at Seoni The reasons are, I believe, (1) that these cases are almost always difficult and unsatisfactory, owing to the habitual looseness of almost all native evidence, and (2) that Magistrates seem to think that vigorous action in this branch of their duties is not desired It would be a pity, I think, that this impression should gain ground Prosecution is only undesirable (1) when there is any doubt with regard to the motives of the false witness, (2) when his false evidence is on a point not material to the main issues for trial From some cases which have come before me, I think that these vital tests are not always regarded, though the more common error is to take no notice of false evidence at all."

It is certainly remarkable that public officers though warmly hostile to this common crime are unable to make the law more felt by the criminals. The new Code of Criminal Procedure made the giving or fabricating false evidence triable by Magistrates of the 1st Class, but prosecutions are not more frequent than before.

Affray

15. The cases occurred chiefly in Jabalpur (31), Sagar (30), Hoshangabad (37). In Jabalpur and in Hoshangabad they were most numerous in 1872 also. Their numbers depend somewhat on the view Magistrates take of cross-complaints of assault, and in this matter grooves differ.

Hurt, assault, intimidation and insult

16. The Courts were reminded that under Section 333, Code of Criminal Procedure, evidence might be recorded by Magistrates of the 1st and 2nd Class in hurt cases as in assault cases. Fewer hurt cases are therefore now by reason of the more troublesome record of evidence classed as assaults, and this accounts in some measure for the apparent increase under the head of hurt. The assaults still however comprise a number of cases of hurt and insult, but the classification is improving. The general decrease under these heads as well as under that of defamation is satisfactory. But a comparison of the District returns indicates diversity of Magisterial practice in returning offences of which persons have been acquitted or discharged, as "not occurred;" and instructions have been issued with a view of bringing about a more uniform practice, the rule being that offences are to be so returned whenever and only when the Magistrate really disbelieves in their occurrence.

Extortion

17. These offences continue to be shown at a low figure. And as in 1872, so in 1873 Jabalpur returns a large proportion of them, viz: 20 offences in either year. Raipur returns 10, and Damoh 8, Betul, Narsinghpur, Bilaspur and the Upper Godavari District none at all. Extortion may often be robbery (Indian Penal Code, Section 390). But only 138 offences are returned under both heads.

Dishonest misappropriation of property.

18. The number of offences under this head is larger than in 1872. But although attention was drawn to the subject during the year, cases of "dishonest misappropriation of property" may still to some extent be classed as "Theft."

Cattle trespass

19. There are offences under Sections 24, 26, 27, Act I. of 1871.

Stamps

20. The increase in the offences against the Stamp Law occurred chiefly in the Sagar district, and is explained by the Deputy Commissioner as follows.

(*Para.* 18.) * * "This is partly due to a great many cases connected with the Pitehra State having been brought to light, as all the creditors of the Raja filed the statement of their claims; and had the accounts of that estate not come under examination, these cases would not have come to light."

B.—The Tribunals.

Alterations under new Code of Criminal Procedure.

21. The new Code of Criminal Procedure, Act X of 1872, came into force from the beginning of the year. Under it the Judicial Commissioner's Court underwent no change. But with reference to certain new provisions of the Code relative to the constitution of Courts of Session, Magistrates of the District, and Juries, the Chief Commissioner issued the following Notification :—

"Under Sections 9 and 43 of the new Code, and with advertence to Section 16 of the same, Commissioners of Division are appointed to be Sessions Judges with powers of a Court of Session in their Sessions Divisions."

"Under Sections 9, 35, and 43 of the new Code, the Deputy Commissioner of every district being a Magistrate of the 1st class, shall be called the Magistrate of the district, and shall exercise throughout his district all the powers of a Magistrate."

"Under Section 236 of the new Code, juries in the trials by jury before the Court of Session, shall consist of five persons in the districts of Nagpur, Jabalpur, Sagar, Raipur, and Hoshangabad, and of three persons in all other districts of the Central Provinces."

Our Magistracy.

22. The following Statement shows the effective strength of the Magistracy at the close of the year :—

Districts.	Stipendiary			Honorary			Remarks.
	† ‡ Magistrates 1st Class.	Magistrates 2nd Class	Magistrates 3rd Class.	Magistrates 1st Class.	Magistrates 2nd Class.	Magistrates 3rd Class.	
Nagpur ...	5	4	...	5	5	...	† The Deputy Commissioners are here also included.
Chanda ..	4	1	2	..	2	...	
Bhandara ...	3	1	2	1	1	1	
Wardha ...	3	1	3	...	2	2	‡ In every district the Deputy Commissioner exercised powers under Section 36 C. C. P.
Balaghat ...	1	3	1	...	...	...	
Sironcha ...	1	...	2	...	...	...	
Jabalpur ...	7	3	3	...	3	4	
Sagar ...	5	2	1	...	2	6	
Damoh ...	1	2	1	...	2	1	
Seoni ..	2	2	...	...	...	3*	* 1 has had powers withdrawn, and 1 has resigned since close of year
Mandla ...	2	2	...	...	1	1	
Hoshangabad ...	3	4	...	...	7	6	
Narsinghpur ...	3	2	...	...	1	3	
Nimar ...	5	3	...	1	..	2	
Betul ...	2	2	...	...	1	1	
Chhindwara ...	2	2	...	...	...	1	
Raipur ...	4	4	...	...	3	1	
Bilaspur ...	3	2	1	...	1	2	
Sambalpur ...	2	1	1	...	..	...	
Total ..	58	41	17	7	31	34	

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The need of more Magistrates continues urgent. The local reports will on this subject be read with interest, especially the following :—

[*Report by the Commissioner of the Nagpur Division, para.* 5.]—" I have this year had an opportunity of spending some time in the Chanda district. I had already marched from Chanda to Nagpur *via* Chimur, and I have this year extended my knowledge of the district by entering it from the Pohni direction, and marching *via* Brahmapuri to Armori, Garcharuli, Chamursi on the left bank of the Wynganga and so to Chanda, returning *via* Mul, Sindwai and Bissi. I have thus seen almost the whole district except the Zamindaries, and have come to two conclusions—

(1)—That more Honorary Magistrates are *urgently* needed at Chanda.

(2)—That the location of an Assistant Commissioner at Garcharuli is not a matter of great importance even if it be on the whole advisable.

If one or two Honorary Magistrates are appointed on the left bank of the Wynganga the wants of that part of the district in criminal matters will have been met and the location of a Civil Court at Garcharuli would only serve to foster litigation among a population accustomed to settle their disputes without resort to Courts. It seems to me that all that (Honorary Magistrates being provided) the Trans-Wynganga tract needs is that either the Deputy Commissioner or one Assistant Commissioner should march through it every year and if possible remain in it from February till the end of May. If some one is only sent each year to look after the doings of Honorary Magistrates, Police and Zamindars, to listen to complaints of oppression and enquire into the general condition of the people of these tracts, every necessary object will, I venture to think be obtained. Even if an Assistant could be spared for Garcharuli, it would not always be easy to find an officer quite adapted to such a post. Unless the officer sent were to remain some years, he might as well not go, for an officer marching about as suggested above would learn as much as one stationed at Garcharuli for a short time only. An Assistant Commissioner at Garcharuli would be inevitably tied to the place by fever or the dread of fever, from July to January, and during these months would do nothing but listen to Civil suits which could be heard at Mul without any great inconvenience to the people I am taking steps to increase the number of Honorary Magistrates in Chanda, and with reference to Garcharuli would express my hope that if the Chief Commissioner and Judicial Commissioner concur in the views which I have expressed, the Deputy Commissioner may be directed to arrange each year to keep an Assistant (when he does not go himself) across the Wynganga from the 15th January to 31st May. With 3 Assistants at Chanda as at present, one can always be sent without any difficulty whatever. Should this staff be reduced, and the Deputy Commissioner find himself unable to spare an officer, he may perhaps be permitted to represent this about the end of the year with a view to an additional Assistant being sent should any be available."

" The distribution of Tahsils in Chanda is convenient (the Brahmapuri Tahsil is on the very borders of Bhandara), but I do not see my way to any change at present.

" The Deputy Commissioner of Chanda will be asked to furnish a special report regarding the closing of the Court of Muth Korsha Honorary Magistrate, and the resignation of Nur Patel. These Honorary Magistrates were selected by Major Lucie Smith only a short time ago."

[*Report by the Commissioner of Narbada Division, para.* 3.]—" In regard to the Honorary Magistrates, I am very sorry to say that we have lost two in Nimar by death, one of them a particularly deserving and much respected man and zealous Magistrate, Hari Karn Mandloi. We have also lost one by removal in Narsinghpur. We have also had the following gains.

"Govind Rao Bhus-cattah has been advanced from 2nd class to 1st class, and also made a First class Magistrate in his estates in Hoshangabad; and Gholam Hosein has been made a Third class Magistrate in Betul.

"The Hoshangabad District is well represented by Honorary Magistrates. In parts of Nimar and Narsinghpur the country would certainly be the better for some more; and the Deputy Commissioners continue to keep the want carefully in hand. Before the close of the year my consultations with Major Plowden ended in his submitting the names of four gentlemen who are named in his report; and having now ended my tour in the Narsinghpur district, and having seen these gentlemen, I am about to endorse the Deputy Commissioner's recommendations in regard to two of them. In the hill districts of Chhindwara and Betul I see no immediate prospect of finding any more fitting nominees. I shall however keep the question carefully in view during my approaching tour in these districts. The present Officiating Deputy Commissioner of Chhindwara recently recommended the appointment of a new man, and the resumption of duties by an Honorary Magistrate whose powers are in abeyance, but I feel that I could not endorse either of these recommendations."

[*Report by the Deputy Commissioner of Bilaspur, paras.* 46, 47.]—The Honorary Magistrates are Durga Datt Shastri at Ratanpur; Lakhmidass, Tahutdar of Lormi; and Narain Singh, son of Bishnath Singh Zamindar of Chapa. The Zamindar of Laffa, Raghonath Singh, died in August 1872, and his son has not yet been invested with powers.

"The amount of work done by the Honorary Magistrates has been very little. The Honorary Magistrate of Lormi has been absent for the great part of the year."

Procedure.

23. The reports testify to the advantage of the procedure for summary trials under Chapter VIII. of the new Code. Every Magistrate of the district exercises power to try summarily and 9 other Magistrates have been invested with that power. 1,348 cases were tried summarily during the year. The new Code has effected improvements, it also presents new difficulties. Special reports have been made on the subject.

Lock-ups.

24. Several reports notice the want of Magistrates' lock-ups for prisoners under trial. The Deputy Commissioner of Chanda writes on the subject as follows:—

* * *

(*Para.* 39.)—13 Lock-ups are urgently required in the district; under orders from the Commissioner, they have been included in the list of works to be charged to Provincial services, and it is to be hoped that sanction for the construction of some of them at least may be received soon."

The deficient accommodation for prisoners at the head-quarters of the Balaghat district formed the subject of a special communication from this Office.

C.—THE DISTRIBUTION OF BUSINESS AMONG THE SEVERAL CLASSES OF COURTS.

In Magistrates' Courts.

25. Statement B 3 shows that 49,246 accused persons were dealt with by the Magistrates in the following proportions.

By Magistrates of districts 3,763 or 7·6 per cent; other Stipendiary Magistrates 26,836 or 54·5 per cent; Honorary Magistrates 18,637 or 37·9 per cent. Further details for each district are given in the following table :—

Districts.	Persons disposed of by							Remarks.
	Deputy Commissioners.	Cantonment Magistrates, Assistant and Extra-Assistant Commissioners, at District Head-quarters.	Tahsildars at District Head quarters.	Honorary Magistrates at District Head-quarters.	Stipendiary Magistrates in the interior of Districts.	Honorary Magistrates in the interior of Districts.	Total.	
Nagpur ...	49	877	280	1,656	752	*2,160	5,774	* 1,328 in Kamthi
Chanda ...	80	632	..	...	856	182	1,750	
Bhandara ...	128	394	137	1,033	517	39	2,248	
Wardha ...	302	679	20	...	386	1,253	2,640	
Balaghat ...	107	733	157	...	208	...	1,205	
Jabalpur ...	105	2,992	244	628	690	756	5,415	
Sagar ...	594	796	336	1,140	800	1,439	5,105	
Damoh ...	249	275	218	398	124	...	1,264	
Seoni ...	200	261	476	781	506	183	2,407	
Mandla ...	89	320	118	39	263	56	885	
Hoshangabad ..	130	865	78	425	898	2,397	4,793	
Betul ...	213	324	449	188	367	31	1,572	
Narsinghpur ...	206	793	162	192	325	1,566	3,244	
Nimar ...	223	438	9	506	537	633	2,346	
Chhindwara ...	310	647	198	...	323	99	1,577	
Raipur ...	141	1,100	566	428	976	334	3,539	
Sambalpur ..	260	498	182	...	182	...	1,122	
Bilaspur ...	174	571	94	95	863	...	1,797	
Upper Godavari ...	203	209	...	...	141	...	553	
Total 1873...	3,763	13,404	3,718	7,509	9,714	11,128	49,236	
Percentage do. ...	7·6	27·3	7·5	15·2	19·7	22·7	100·	
Total 1872 ...	2,300	13,552	5,052	6,135	10,033	10,070	47,112	
Percentage do. ..	4·9	28·7	10·7	13·	21·3	21·4	100·	

Magisterial business done by Magistrates of districts.

26. The increase in the number of persons disposed of by Magistrates of districts is partly real, partly nominal. The 2,690 persons shown in 1872 as disposed of by Magistrates of districts (2,300 persons as Magistrates and 290 persons as Courts of Session) included a large proportion of persons discharged at instance of the Police. The figures 3,763 representing the whole of the persons disposed of by Magistrates of districts in 1873 does not include any persons released by the Police under Section 125, Code of Criminal Procedure. On the other hand, it includes persons disposed of in cases referred by subordinate Magistrates under Section 46, Code of Criminal Procedure, which were not credited to Magistrates of districts in previous years. Such real increase as there may be in the number of persons disposed of by Magistrates of districts is doubtless due to

the facility of the new summary trial procedure. The 3,763 persons disos ed of appertained to 2,386 cases, out of which 1,097 were tried summarily as below :—

Districts.	Cases disposed of by Magistrates of Districts.		Remarks.
	Otherwise than by summary trial.	By summary trial.	
Nagpur ...	22	12	
Chanda ...	34	14	
Bhandara ...	59	27	
Wardha ...	62	122	
Balaghat ...	47	12	
Sironcha ...	72	55	
Jabalpur ...	74	9	
Sagar ...	129	236	
Damoh ...	153	2	
Seoni ...	72	51	
Mandla ...	36	19	
Hoshangabad ...	81	7	
Narsinghpur ...	70	52	
Nimar ..	46	94	
Betul ...	65	84	
Chhindwara ...	110	102	
Raipur ...	52	36	
Bilaspur .	73	42	
Sambalpur ...	32	121	
Total ...	1,289	1,097*	* Other Magistrates tried 251 cases summarily.

In the 1,289 cases disposed of otherwise than by summary trials are included cases tried under Section 36, Code of Criminal Procedure.

Evidently there is still room for the remark that Magistrates of districts might with advantage to themselves dispose of a larger number of criminal trials.

Proportion of business done by other Stipendiary Magistrates and by Honorary Magistrates.

27. Cantonment Magistrates, Assistant Commissioners and Extra-Assistant Commissioners at District head-quarters, as well as Stipendiary Magistrates in the interior of districts disposed of nearly the same number of persons as in 1872. Tahsildars at District head-quarters, however, disposed of only 3,718 persons as against 5,052 in 1872. This was in a great degree owing to their having in a larger number of instances presided as Judges of Civil Courts under the instructions of Chief Commissioner's Book Circular II. of 1873 and in the upshot of these instructions seems to be included an increase in both the quantity and the proportion of the criminal business disposed of by Honorary Magistrates During 1873 these Magistrates disposed of 18,637 persons or 28 per cent of the whole number of persons disposed of Magisterially as against 16 199 or 34·4 per cent in 1872. In this there is nothing to regret. It is by means of Honorary Magistrates that the urgent need already noticed of additional Magistrate's Court in the interior of districts may be most readily met. And the only thing to be said is that as greater use continues to be made of Honorary Magistrates, so it becomes more and more incumbent on Magistrates of districts to supervise, instruct and guide them. The reports from Nagpur are full on this head.

The distribution of business among the Nagpur Magistrates appears to have been imperfectly regulated. But it has the attention now of the Magistrate of the district.

The following table contains the names of the Honorary Magistrates who rendered most assistance to the Administration during the year :—

District	Town or residence of Honorary Magistrate.	Name of Honorary Magistrate.	Class.	Number of accused persons disposed of by each Honorary Magistrate
		A—At District Head Quarters.		
Nagpur ..	Nagpur ..	Raja Sulemansha ..	1st Class.	664
Bhandara	Bhandara ..	Yado Rao ..	Do.	755
Do	Do.	Ganpat Rao Venkatesh ..	2nd Class	278
Jabalpur ..	Jabalpur ..	J Watts, Esq. ...	Do.	519
Sagar ..	Sagar ..	Lachman Rao ..	3rd Class.	451
Do.	Do.	Krishna Rao ..	Do	438
Damoh ..	Damoh ..	Thakur Sheolal Singh ..	2nd Class.	203
Seoni ..	Seoni ..	Mahomed Ahmed Khan ..	3rd Class.	375
Hoshangabad.	Hoshangabad	Raja Kamransha ..	Do.	425
Nimar .	Nimar ..	Hari Kurn Mundloee ..	2nd Class.	506
Raipur ..	Raipur ..	Rajaram Tiwari ...	Do.	428
		B.—At places in the interior of districts where there is also a Stipendiary Magistrate.		
Nagpur ...	Kamthi ..	Abirchand Rai Bahadur ..	2nd Class	1,086
Do.	Do.	Bhanudas Naidu ..	Do.	242
Wardha ..	Hinganghat.	Sunder Narayan ..	3rd Class.	470
Sagar ..	Rehli ..	Rajaram Havildar ...	Do	396
Do.	Do.	Rao Zorawar Singh ..	Do.	354
Hoshangabad	Harda ..	Mahomed Amin ..	Do.	392
Do	Do	Tulsiram Sukul ..	2nd Class.	217
Narsinghpur.	Gadarwara ..	Seth Sheobaksh ...	3rd Class.	602
Nimar ..	Burhanpur ..	Habib ulla Rahman ..	Do	245
Do	Do.	Abdul Ganni ..	2nd Class.	229
		C—At places in the interior where there is no Stipendiary Magistrate		
Nagpur ..	Dhapiwara ..	Govind Singh Jamadar . . .	2nd Class.	515
Do.	Digras ..	Trimbak Rao Nana Khalatkar ..	Do.	317
Wardha ..	Deoli ...	Ramrao Deshmukh ..	3rd Class.	325
Do.	Ashti	Nawab Wahid Khan ..	2nd Class.	303
Jabalpur ..	Belkhera ..	Thakur Chait Singh ...	Do.	487
Sagar ..	Garakotta ..	Rajai Dube ..	3rd Class.	369
Do.	Pitehra .	Thakur Ramchand Rao ..	Do.	251
Do.	Sonaee ..	Rao Damodhar Rao ..	Do.	215
Seoni	Ari ..	Mahomed Emam Khan ..	Do.	406
Hoshangabad	Khapurkhera	Dhanraj Seth ..	Do.	336
Do.	Gowara ..	Rambaksh Diwan ..	Do.	315
Narsinghpur	Piparia ..	Thakur Bhopal Singh ...	2nd Class.	535
Do.	Imjirra ..	Raja Manbodh Singh ...	3rd Class.	391

28. 257 persons were committed to the four Courts of Session during the year.

Committals to Court of Sessions.

D.—The Action of the Tribunals of Original Jurisdiction on Accused Persons under Inquiry or Trial before them.

General result.

29. Of the total 49,504 persons under inquiry or trial during the year, 18,273 were acquitted or discharged, and 30,728 convicted, while 174 died, escaped or were transferred, and 329 remained under trial at the close of the year.

Results under selected offences.

30. The following table shows the proportions of persons convicted under the principal headings of offence :—

Selected Offences.		Number of persons disposed of by discharge, acquittal or conviction.	Convicted.		
Number (Statement B 2).	Description.		Number.	Percentage in 1873.	Percentage in 1872.
8, 9	Counterfeiting, diminishing or altering coin ...	27	19	70	67
10	Passing or possessing bad or altered coin ...	74	45	61	47
11, 12	Counterfeiting or selling counterfeit Government Stamps	5	2	40	..
15	Personating public servant or soldier ..	39	33	85	81
17	Omitting to give information of offence or giving false information	244	180	74	70
32 to 43	Offences by public servants	168	107	64	74
44, 45	Giving or fabricating false evidence ...	81	50	62	43
51	Forgery or fraudulently using or possessing forged documents	53	20	38	41
53	Public nuisances under Penal Code ..	538	467	87	84
54	Nuisances under Police, Municipal or Cantonment Acts	3,092	2,878	94	93
55	Rioting or unlawful assembly ...	525	364	70	59
60 to 66	Murder	136	41	30	24
68	Culpable Homicide	44	21	48	36
90	Adultery ...	101	21	21	18
91	Rape	43	12	28	24
93	Hurt	1,595	856	54	60
97	Assault or use of criminal force ...	15,118	5,647	37	40
98	Criminal intimidation or insult ...	1,711	775	45	50
101	Defamation	415	116	28	36
103	Dacoity	129	76	58	48
105 to 109	Robbery	85	44	51	48
110	Extortion	125	48	38	43
111	House-breaking or house-trespass in order to commission of theft	2,406	1,936	80	74
115	Theft of Cattle	1,585	1,249	79	73
116	Theft ordinary	7,492	6,094	81	77
117	Dishonestly receiving stolen property ...	822	572	69	69
118	Dishonest misappropriation of property ...	357	261	74	70
119	Criminal breach of trust	399	266	66	55
120	Cheating	387	155	40	58
121	Mischief ordinary	479	241	50	42
124	Mischief serious by fire	44	13	33	25
126	Criminal trespass or house trespass ..	1,729	1,108	63	60
134, 135	Vagrancy and bad habit and reputa ...	628	426	68	62
164	Breaches of law relating to spirits and drugs ...	768	633	82	76
137	Do Salt and Saltpetre ..	875	853	98	95
155	Do. Stamps ..	376	284	76	80
149	Do. Forests ..	630	473	75	84
139	Do. Railways ..	163	145	89	87
152	Do. Gambling ...	585	529	90	81
160	Cattle Trespass	485	265	55	51

Counterfeiting, diminishing or altering coin.

31. 19 persons convicted out of 27 prosecuted.

Five persons were convicted in Narsinghpur of counterfeiting coin. The Deputy Commissioner writes :—

"Six persons were brought to trial in two separate cases for counterfeiting coin, and five were convicted. They belonged to a gang of professional coiners, and were convicted under Section 235 for possession of an instrument for the purpose of coining."

Another person was convicted of the like offence in Jabalpur. Two other persons were prosecuted for counterfeiting coin in Bilaspur and a third in Balaghat. But these three were not convicted.

No special import attached to the cases of diminishing or altering coin.

Passing or possessing bad or altered coin.

32. 45 persons convicted out of 74 persons prosecuted. The offences were of an ordinary character.

33. 5 persons prosecuted; only 2 were convicted in the Nagpur District.

Counterfeiting or selling counterfeit Government Stamps.

The Deputy Commissioner notices the case as follows, (para. 17.)

"* * Sitaram resided in the Wardha district, and in October 1872 he purchased from the Deputy Commissioner's office there a large quantity of old records sold as waste paper. Many of these records had not been properly examined before sale and had Court Fees Stamps still adhering to them. These Stamps Sitaram removed, washed away the ink marks and pieced the cut portions together and then sold the Stamps so treated at Nagpur through an accomplice, Govind. Both these men were convicted."

The Stamps although duly cancelled ought not to have been sold, the standing rule being that (when Judicial records are destroyed or sold as useless) "all Stamp papers and pieces of stamp paper removed for destruction shall be "reduced to pulp or burnt."

Omitting to give or giving false information of an offence.

34. 180 persons were convicted out of 244 prosecuted. In one case the Chief Commissioner has remitted the sentence as already noticed.

Offences by public servant.

35. 107 persons were convicted out of 168 persons prosecuted, being proportionately fewer than in 1872. But of these, several convictions were annulled on appeal, and the Judicial Commissioner found it necessary to remind Magistrates that as a rule, it is unfitting that subordinate officials, serving in districts when accused of offences springing from irregularities reflecting discredit on the geenral administration of a district, should be tried by Magistrates who are immediately concerned for the credit of the District administration, and that such officials as well as persons accused in connection with them should rather be committed for trial to the Court of Session.

Only 1 person convicted out of 11 persons prosecuted in Narsinghpur, and 3 out of 9 in Bilaspur, seem also to indicate that prosecutions were not always judicious. This is partly admitted in the Bilaspur District Report. But at the same time the Deputy Commissioner writes very unfavourably of the public establishments in that district.

36. 50 persons were convicted out of 78 prosecuted. This proportion was rather good, considering the difficulty of convicting for offences of this class. 9 persons were convicted out of 10 prosecuted in Seoni, and 8 out of 10 in Chhindwara.

Giving or fabricating false evidence.

37. 3,345 persons were convicted out of 3,630 persons prosecuted. The ratio of conviction was pretty even in all districts.

Public nuisances.

38. 364 persons were convicted out of 525 prosecuted, *i. e.* 70 per cent, a good proportion. In Chhindwara 35 persons out of 37 prosecuted were convicted; in Sagar 31 out of 31; in Narsinghpur 25 out of 25; in Nimar 13 out of 13. On the other hand in 4 districts all persons prosecuted were all acquitted or discharged, *i. e.* in Chanda 29 persons, in Bhandara 6, in Betul 10, and in Sambalpur 2. The Deputy Commissioner of Chanda explains as follows :—

Rioting or unlawful assembly.

"One offence was reported * * 29 persons were brought for trial; but they were all discharged. The case was not of a grave nature. One day 60 buffaloes belonging to certain villages were grazing in a field, and when the owner of the field seized the cattle, a party consisting of 11 persons went and rescued them.

39. 21 persons convicted out of 101 persons prosecuted. This is the usual proportion. In Wardha only 1, out of 10 persons prosecuted, was convicted, and in Bilaspur only 1 out of 9.

Adultery.

40. 12 persons were convicted out of 43 persons prosecuted. Here too in Wardha only 1 was convicted out of 7 persons prosecuted.

Rape.

41. Under these heads the proportion of convictions has fallen off. The following table gives it for each district separately :—

Hurt, Assault, Intimidation, Insult.

Districts.	Hurt.		Assault.		Intimidation or Insult.		Number of persons ordered to pay compensation under Section 209, Code of Criminal Procedure.
	Number of persons prosecuted.	Percentage of convictions.	Number of persons prosecuted.	Percentage of convictions.	Number of persons prosecuted.	Percentage of convictions.	
Nagpur ...	105	60	2,694	38	215	33	110
Chanda ...	28	71	342	53	27	56	37
Bhandara ...	73	29	744	28	385	45	20
Wardha ...	123	55	1,010	42	97	46	30
Balaghat ...	66	33	385	25	2	50	13
Jabalpur ...	199	59	1,316	32	135	38	57
Sagar ..	147	58	1,251	38	375	46	94
Damoh ...	142	52	190	40	12	33	19
Seoni ..	129	57	966	41	38	41	21
Mandla ...	8	37	149	31	2	...	7
Hoshangabad ...	182	53	2,039	26	105	51	27
Betul ...	64	48	379	36	27	63	22
Narsinghpur ...	63	52	1,034	53	100	74	44
Chhindwara ...	31	29	454	34	14	71	25
Nimar ...	60	52	649	30	6	42	46
Raipur ...	78	82	701	51	16	12	25
Sambalpur ...	4	100	283	54	3	33	11
Bilaspur ...	65	63	306	38	42	36	10
Upper Godavari ...	8	75	139	42	41	58	11
Total ...	1,575	54	15,028	38	1,696	46	629

The proportions of convictions vary much. One district has a comparatively high proportion, another a low one. This has always been the case, and where convictions are proportionately fewest, it has been customary to charge the Magistracy with a too facile entertainment of complaints, and with neglecting to take due opportunity of dismissing complaints as frivolous and vexatious, and then awarding compensation to the accused under Section 209, Code of Criminal Procedure. Instructions on the subject have accordingly been repeatedly issued, but without much general permanent effect, although Magistrates of districts seem to have been mindful of these. The following extracts from the Local Reports show further how the matter stands at present :—

[*Deputy Commissioner, Jabalpur, para.* 6.]—" * * * It may be difficult to resist the conclusion that the examination of complainants prior to the issuing of a process is still frequently recorded with too little care. This very important point in procedure has during the year been continually pressed upon the Magistracy, but the elimination of truth by an *ex parte* examination is daily becoming a greater difficulty. Guided and advised by unprincipled hangers-on of the Courts, complainants come up with a story which the Magistrates find it impossible to resist, the more especially as in such cases to act except on a very clear conviction might amount to a denial of justice, hence I would prefer a larger number of acquittals or discharges to a more rigid exercise of the power to refuse a process. Taking this view I think the Magistrates have acted as a body with fair judgment, and the cases which have come before me bear out this opinion."

[*Deputy Commissioner, Hoshangabad, para* 4.] " * * * It will be seen that this class of petty offence has not been so efficiently dealt with by the Courts as it was last year; the percentage of acquittals is nearly double, which shows that a large number of the cases were false and vexatious, and yet the number of persons to whom compensation was awarded is absurdly small. The strict award of compensation in all false and frivolous cases is the only way to check the enormous increase of this class of litigation, and it appears that Colonel Dennys has repeatedly impressed this fact on the various Sub-Magistrates of the district, but apparently without much effect. A large proportion of these cases are taken up and disposed of by the Honorary Magistrates, who appear to have a strange prejudice against punishing the complainant, and never take into account the trouble and worry unjustly caused by him to the accused. I shall see most of these gentlemen in my tour through the district and I will do my best to explain this provision of the law against the vexatious and vindictive prosecution of petty complaints to them and urge them to apply this wholesome restraint to petty spite more freely. The great increase of this class of cases this year must I fear be attributed to the weak action of the Courts."

[*Deputy Commissioner, Nimar, para* 55.]—" * * *. There has been very great improvement during the latter part of the year among all the Subordinate Magistrates' in the manner in which they sift and test complaints before issuing summons. The result has been that persons now seeing how their complaints are in the first instance scrutinized have become shy of putting forward claims which they cannot fully substantiate or which are so trivial as to constitute no valid cause for action. The figures in the margin will show how both institutions and discharges or acquittals have been reduced in cases under Section 352, Indian Penal Code."

1873.	Cases filed.	Persons for disposal.	Discharged.	Acquitted.	Convicted.	Remaining over.
1st Quarter ...	85	198	98	21	53	26
4th " ...	17	*40	9	7	24	...

* Includes 12 remaining from 3rd Quarter.

[*Deputy Commissioner, Raipur, para* 7.]—"The proportion of acquittals is very large; about the middle of the year I issued orders to the Courts, drawing attention to the necessity of carefully examining complaints on oath before issuing a summons, as I thought this important safe-guard against needlessly troubling accused persons was somewhat neglected. I also issued orders early in the year on the subject of awarding compensation under Section 209, Criminal Procedure Code; and again drew the Courts' attention to this section on receipt of

the Judicial Commissioner's remarks on his inspection of the Simga Tahsil. I have now again reminded them of their duties in this respect, and referred them to Circular IX. A of April 1864."

[*Commissioner, Nagpur Division, para* 7.]—"The table (incorporated above) which exhibits the action of the Courts in dealing with cases of hurt and assault shows that the Judicial Commissioner's directions that cases of hurt should not be treated as assaults have not yet received due attention. It also shows that Judicial practice in assault cases is still far from satisfactory. The attention of those Magistrates whose treatment of these cases has been least discriminating will be again called to the often repeated orders on the subject."

It is no doubt possible to err by too readily rejecting apparently frivolous complaints, and this error may have been committed latterly in Nimar. Still, as will be seen from the above table, the number of awards of compensation for frivolous and vexatious complaints is everywhere insignificant, and there is no apparent way of satisfactorily accounting for the whole of the great difference between the proportions of convictions in some districts and those in other districts, as for instance between those proportions in the two contiguous districts of Hoshangabad and Narsinghpur, and improvement in Hoshangabad will be looked for from the recent injunction to the Subordinate Magistrates in that district. Like improvement might also be expected in some other districts, especially in Bhandara and Balaghat.

The number of persons brought up for criminal intimidation and insult in the Nagpur, Bhandara, and Sagar districts is this year again specially large as compared with the numbers in other districts.

House breaking and house trespass in order to commit theft.

42. The proportion of convictions has improved. It was 74 per cent in 1872 and 81 per cent in 1873. This seems a good proportion. The total number of persons tried was, however, only 2,379 as compared with 2,812 in 1872, while the number of offences reported was nearly the same in either year. The ratio of conviction was pretty even in all districts.

Cattle theft.

43. The proportion of conviction under this head also has risen; but here too, in a smaller number of persons tried, there having been 1,599 persons tried in 1872 and only 1,507 in 1873, the number of offences reported being about the same in either year. In Narsinghpur 93 persons were convicted out of 96 persons prosecuted, almost too good a proportion. In Wardha only 15 persons were convicted out of 40 prosecuted.

Theft.

44. The proportion of persons convicted has risen from 77 per cent in 1872 to 82 per cent in 1873. It was pretty even in all districts. Highest in Jabalpur, Narsinghpur, Nimar and Damoh where it was 88 per cent out of 628, 571, 270, and 208 persons tried.

Dishonest misappropriation of property.

45. 353 persons were tried as compared with 294 in 1872. The general attention of the Magistracy was called during the year, to the subject of discriminating dishonest misappropriation from theft. Sambalpur has again no conviction under dishonest misappropriation, and the Deputy Commissioner writes as follows :—

Para. 18.—"*Dishonest misappropriation of property.*—As there have again been no convictions under this head, and as the Judicial Commissioner has called attention to there having been none in the previous year in his Circular No. XVIII. of 15th May 1873, it is necessary for me to explain that the subject has received careful consideration, and that I do not think that any of the convictions for theft during the past year ought more properly to have been for misappropriation. The great majority of the theft cases were tried by the Assistant Commissioner or myself, and

in all the proof of theft was clear, and in most, actual theft was confessed to. In some cattle theft cases the accused said that they had found the cattle; but on enquiry it was ascertained that the cattle had been grazing in the neighbourhood of the owners' villages, and though they were untended the accused knew perfectly well that they would have found their own way back to the village as night came on had they been left alone: and the offence committed in taking away such cattle was therefore, and I think rightly, found to be theft. No doubt, however, some few cases of criminal misappropriation did occur, for the Police arrested some persons on charges of theft; but finding that the property claimed had not been stolen but only apparently misappropriated, discharged the accused and told the persons claiming the property to go to Court and complain; but these cases never came into Court, and seem therefore to have been compromised, and as none of them were of any consequence I did not think it necessary to order a prosecution to be instituted in any of them on the receipt of the police reports."

Vagrancy and bad habit and repute.

46. 602 persons were brought up, against 388 in 1872, and the proportion from whom security was required increased from 62 to 71 per cent. But as usual the results in districts varied considerably, as will be seen from the subjoined table :—

District.	Vagrancy.		Bad habit.	
	Number of persons brought up.	Percentage from whom security was required.	Number of persons brought up.	Percentage from whom security was required.
Nagpur ...	30	67·	28	80·
Chanda ...	2	100·	7	29·
Bhandara ...	5	80·	10	70·
Wardha ...	14	21·	4	100·
Balaghat ...	...	...	14	64·
Jabalpur ...	14	64	57	67·
Sagar ...	...	...	26	58·
Damoh ...	9	22·	28	86·
Seoni ...	46	72·	20	90·
Mandla ...	1	...	8	75·
Hoshangabad ...	31	45·	13	46·
Betul ...	15	67·	10	50·
Narsinghpur ...	9	100·	58	88·
Nimar ...	24	96·	28	96·
Chhindwara ..	1	100·	14	86·
Raipur ...	47	68	20	65·
Sambalpur ...	...	...	5	60·
Bilaspur ...	4	25	...	...
Upper Godavari ...	...	...	...	...
Total ...	252	65·	350	75·

The Deputy Commissioner of Nimar mentions how his informants "fenced and beat about the bush" when examined as witnesses to bad habit and repute; and the Deputy Commissioner of Raipur, with reference to the short terms for which security was in most cases required, says he fears that "the Courts have "improperly connected the period for which security has been demanded with "the kind of proof offered in support of the application"; and the Deputy Com-

missioner of Hoshangabad, referring to the large proportions of discharges after arrest for vagrancy and bad habit, says :—

> "I have examined many of these cases, and certainly in those I saw, Magistrates had no option but to acquit. There was no evidence against the accused except that he had been once before convicted of théft or some other offence, and in most of the cases the Malguzar and other people of the village spoke up in defence of the accused."

The large proportions of persons from whom, out of all persons brought up security was required in the Narsinghpur and Nimar districts are noticeable. The Judicial Commissioner has inspected the cases. Those from Narsinghpur required no particular criticism. Both the Police and the Magistrates appeared to have on the whole acted with care and judgment. All the Nimar cases did not stand examination so well, security being demanded sometimes on too slender grounds, and procedure of importance being defective.

General improvement in results of trial.

47. The improved proportions of convictions referred to in this section have, as regards cognizable offences, partly resulted from the exclusion this year from the Magisterial statements of persons arrested without a warrant by the police, who were released by the police *suo motu* under Section 125, Code of Criminal Procedure, and not required to appear before the Magistrate.

The following extracts from the Jabalpur and Narbada Divisional Reports further illustrate the action of the Courts in the several districts of those Divisions.

[*Commissioner, Jabalpur Division* : *paras* 23, 24, 25]

"The action of the Tribunals of original jurisdiction in disposing of accused persons brought before them during the year again shows some improvement. Thus of 15,203 persons dealt with, 9,823 or 64·6 per cent were convicted, against 62·3 per cent last year. The proportion of convictions in each district during the past two years was :—

		1872.		1873.
Jabalpur	...	69·6	...	64·3
Sagar	...	61·1	...	58·6
Damoh	...	64·9	...	63·0
Seoni	...	48·8	...	58·4
Mandla	...	55·4	..	71·2

"The high percentage of convictions in Mandla is chiefly due to the successful prosecution of Excise cases; and in Jabalpur to the large number of cases of nuisance, in nearly all of which, as a matter of course, convictions are obtained. In Sagar, notwithstanding an increase in these cases, the percentage of convictions has fallen from 61·1 to 58·6.

"Turning to the column discharges, I find the percentage in each district, in cases in which the complainants absented themselves or withdrew their complaints, to be as follows :—

District.		Number of persons brought to trial.	Discharged.	
			Number of persons.	Percentage.
Jabalpur	...	5,415	707	18·0
Sagar	...	5,105	754	14·7
Damoh	...	1,264	139	9·9
Seoni	...	2,407	400	16·6
Mandla	...	885	117	13·2

"The high percentage in Seoni has been caused by the numerous discharges in assault cases, in which out of 980 complainants 352 absented themselves The necessity for duly sifting such complaints, prior to issue of summons or warrants, as remarked last year, still exists in Seoni

'The percentage of discharges for want of proof was —

District	Persons brought to trial	Discharged	
		Persons	Percentage
Jabalpur ..	5,115	253	4 0
Sagar ...	5,105	575	11 2
Damoh ..	1 264	139	9 9
Seoni ..	2 407	174	7 0
Mandla	885	114	12 8

[*Commissioner, Narbada Division paras* 25, 26, 27]

" Of the total 13 594 accused persons for disposal by the Magistrates, 8 311 or 61 1 per cent were convicted or committed, 1,859 persons or 13 7 per cent were discharged, from complainants having absented themselves or withdrawing their complaints, and 3,325 or 24 4 per cent were acquitted or discharged by Magistrates after enquiry The comparatively few persons shown as pending, escaped, transferred, &c, may be left out of calculation There is a very remarkably large proportion of accused persons discharged in the Hoshangabad district from complainants foregoing prosecutions after instituting them and this is specially traceable to some of the Honorary Magistrates' Courts The opinion has been before submitted that this must in a certain sense be deemed an indication of administrative weakness, for if the Courts were really careful to sift complaints in the first instance, and also to award compensation to aggrieved parties falsely and frivolously accused this large amount of useless and vexatious resort to the Criminal Courts would certainly diminish And considering how harassing these groundless complaints are to all parties concerned (except to the originators, it must be avowed that no District officer does his duty, who does not use all the means and the knowledge he possesses, to cause his Magistracy to discountenance them

" The following figures are put in contrast —

	Hoshangabad	Narsinghpur
Number of persons brought to trial on summons .	2,788	1,416
Number of persons discharged on absence or withdrawal by complainants	1 132	69
Percentage . ..	40 6	4 7
Number of persons ordered to pay compensation for frivolous and vexatious complaints ...	27	44

' The excessive number of discharges generally in the Hoshangabad district has been commented on quarter after quarter with very little good and until the repetition has become tiresome,—either the Deputy Commissioner fails to instruct his Magistrates, or else he is singularly unfortunate in their heedlessness Meanwhile this state of things is a continual blot on the administration of Criminal Justice The present Officiating Deputy Commissioner remarks as follows in respect to cases of discharges arising from default of appearance of complainants, and promises to give his attention to the subject

"'I am not at all sure that many discharges are at all a sign of healthy litigation or compromise, but rather savours of intimidation on the part of complainants to whom it will probably be far more convenient for the accused to pay small douceurs than to attend the Court and defend his case, and it looks also as if it was an easy matter to get up evidence against any on those petty cases, because it is not to be supposed that the people of the district are more quarrelsome and pugnacious than their neighbours on either side.'

"The Nimar district too does not show well in this particular,—one of the few in which it does not show well. It does show, however, considerable improvement.

"The table below of percentages is given to show the ratio of persons convicted to accused persons for disposal for each district for the two past years, and separating the Courts into—

(1)—Deputy Commissioners,
(2)—Other Stipendiary Magistrates, and
(3)—Honorary Magistrates.

	Deputy Commissioners		Other Stipendiary Magistrates.		Honorary Magistrates.	
	1872	1873.	1872.	1873	1872.	1873.
Hoshangabad ...	28·0	42·3	55·0	59·0	51·2	45·3
Narsinghpur ..	27·3	70·8	76·7	76·9	84·0	68·7
Nimar	26·1	77·2	50·1	60·5	57·2	62·2
Chhindwara ...	41·1	83·8	61·7	59·2	87·0	58·2
Betul ...	41·2	61·5	67·2	64·3	..	54·4

"The improved percentage in the Deputy Commissioners' Courts, arises from the fact that this year discharges at the instance of the Police are not entered.

"In regard to the other Courts, here as in other things, the Hoshangabad results are the worst; and though the percentage in the Courts of Stipendary Magistrates has risen, the rise is more than balanced by worse results than ever in the Courts of Honorary Magistrates. Nimar is the only district which shows improvement (which was much needed) in both classes of Courts. But the total results are good in Narsinghpur and Chhindwara, even though the Honorary Magistrates' Courts have lost some ground. I give also the following percentages for each district, under the four great headings under which all offences are ranged in Statement I.

"Percentage of persons convicted to total number of persons brought to trial for offences under—

	Class I. offences against the state, the Public and Justice.	Class II. offences against the person	Class III offences against property	Class IV. offences not included in the foregoing.
Hoshangabad ...	79·4	30·5	65·9	75·2
Narsinghpur ..	87·8	55·7	80·8	83·9
Nimar ..	89·4	37·5	76·3	77·7
Chhindwara ..	81·9	37·9	75·7	81·8
Betul ...	70·5	41·6	72·6	81·4

"I do not propose this year to go into further detail by tracing out the numbers of discharges and acquittals, and convictions under particular heads of offences, in each district; but with reference to the table last given, I would beg to ask notice of the specially good results shown in Narsinghpur under Class II, (including petty assaults) and under Class III, (including petty thefts). The contrast here with the results in the neighbouring, and in most respects similar district of Hoshangabad, is again and in a very high degree unfavourable to the latter district."

The Judicial Commissioner must testify to the special pains taken during the course of the year by the Commissioner of the Narbada Division to improve the action of the Courts in the Hoshangabad district.

E.—Punishments.

Kinds of Punishment.

48. The following table compares the *kinds* of punishment, inflicted by all Courts together for the years 1872 and 1873:—

		1873. Persons.		1872. Persons.	
a. Fined.	Fined only	19,582		18,577	
	Fined and whipped.	14		3	
	Total ..	19,596	or 64·8 per cent of total punished.	18,580	or 64·2 per cent of total punished.
b. Imprisoned.	Imprisoned only ...	5,979	or 19·8 per cent	5,109	or 17·6 per cent
	Do. and fined ..	1,793	or 5·9 do.	1,532	or 5·3 do.
	Do. and whipped with or without fine.	505	or 1·7 do.	500	or 1·7 do.
	Total ..	8,277	or 27·4 per cent of total punished.	7,141	or 24·6 per cent of total punished.
c. Whipped..	Whipped only...	2,310	or 7·6 per cent of total punished.	3,199	or 11 per cent of total punished.
d. Transported.	Transported (terms.)	0		1	
	Do. (life.)	15		21	
	Total ...	15		22	
e. Death		24		18	
	Total ...	30,222		28,960	

The noticeable features in the above abstract are,—

(1)—the increased proportion of persons sentenced to the combined punishment of imprisonment and fine; and (2) the substitution in considerable measure of imprisonment for whipping as a single punishment, owing to Code of Criminal Procedure, Section 302, providing for the accused person being forwarded for the execution of a sentence of whipping to the officer in charge of the jail of the district.

49. The following table shows the proportion of persons sentenced by Magistrates in the several districts to fine, imprisonment and whipping:—

Kinds of punishment accepting as a sentence.

Districts.	Total number of persons sentenced to fine, imprisonment and whipping.	Sentenced to fine only.		Sentenced to whipping only.		Sentenced to imprisonment.		Detail of sentences of imprisonment.					
								Imprisonment only.		Fine in addition to imprisonment.		Whipping in addition to imprisonment.	
		Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 2	Number of persons.	Percentage of total in column 7.	Number of persons.	Percentage of total in column 7.	Number of persons	Percentage of total in column 7.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ...	3,201	2,252	70·4	135	4·2	814	25·4	648	79·6	108	13·4	58	7·
Chanda	1,166	777	66·6	109	9·4	280	24	230	82·2	36	12·8	14	5·
Bhandara ...	1,155	667	57·7	158	13·7	330	28·6	247	75·	61	18·5	22	6·5
Wardha ..	1,454	1,024	70·4	91	6·3	339	23·3	306	90·3	26	7·7	7	2·
Balaghat ..	596	303	50·8	74	12·5	219	36·7	153	69·8	57	26·2	9	4·
Jabalpur ..	3,538	2,530	71·5	224	6·3	784	22·2	548	70·	168	21·5	68	8·5
Sagar ...	3,328	2,259	67·8	311	9·4	758	22·8	498	65·7	204	27·	56	7·3
Damoh ..	782	360	46·	66	8·4	356	45·6	253	71·	76	21·4	27	7·6
Seoni ..	1,377	758	55·	130	9·5	489	35·5	322	65·8	106	21·7	61	12·5
Mandla ...	619	272	44·	142	23·	205	33·	152	74·	42	20·6	11	5·4
Hoshangabad ...	2,362	1,733	73·3	57	2·4	572	24·3	394	69·	162	28·4	16	2·6
Betul ..	977	629	64·3	43	4·4	305	31·3	226	74·	66	21·7	13	4·3
Narsinghpur ...	2,223	1,549	69·6	123	5·6	551	24·8	384	69·6	125	22·7	42	7·7
Nimar ...	1,465	1,043	71·2	93	6·3	329	22·5	264	80·2	50	15·2	15	4·6
Chhindwara ..	989	561	56·7	73	7·3	355	36·	233	65·6	114	32·1	8	2·3
Raipur ..	2,515	1,526	60·6	154	6·2	835	33·2	602	72·3	182	21·7	51	6·
Sambalpur ..	862	526	61·	135	15·6	201	23·4	148	73·7	48	23·8	5	2·5
Bilaspur ...	1,146	577	50·3	189	16·5	380	33·2	281	74·	91	24·	8	2·
Upper Godavari ...	331	233	70·4	3	·9	95	28·7	39	41·	56	59·	...	...
Total ...	30,086	19,579	65·	2,310	7·7	8,197	27·2	5,928	72·3	1,778	21·7	491	6·

50. In the Nagpur district the proportion of whippings (only) is seen to be exceptionally low and that of fines (only) high. The Deputy Commissioner writes (paras 43 and 45) :—

Special results in districts.

"The percentage of persons fined only appears to have been unduly high in the following Courts:—

Major Playfair	...	...	96 per cent.
Captain Brooke	...	..	91 do.
Raja Sulimanshah	...	...	88 do.
Bansilal Abirchand Rai Bahadur	...	..	81 do.
Bhanudass Naidu	...	...	79 do.

and I should judge that in other of the Courts this punishment was perhaps too much resorted to.

"The decrease in whipping only is due partly to the change in the law under which persons sentenced to whipping can only undergo their punishment before the Jail Superintendent, but still this restriction should not have reduced the proportion of persons so punished from 8·4 per cent in 1872 to 4·2 per cent in 1873. The omission to resort to this punishment is specially noticeable in the Kamthi Courts."

The petty character of a large proportion of the offences dealt with in Kamthi Cantonment may account for the large proportion of fines and small proportions of whippings there. And this plea derives some support from the circumstance that the proportion of fines were higher in the Cantonment Magistrates' Courts than in the Courts of the two Honorary Magistrates in Kamthi.

In Bhandara and Balaghat fines were comparatively few as a single punishment, but were awarded in a large proportion as an additional punishment. Whippings were largely resorted to.

In Wardha there was apparently too rare a resort to fine or to whipping as additional punishment.

In regard to the districts of the Jabalpur Division the Commissioner of that Division writes as follows (paras. 27, 28) :—

"The proportion in which imprisonment was awarded in Sagar and Jabalpur is very much the same, being 22 per cent. Again in Jabalpur fine seems to be more in favour than in Sagar, the percentages being 71· and 68·2. This is easily explainable by the number of offences under the Municipal and Cantonment Acts. Possibly fine is too much resorted to in Sagar, but this is often the case where much of the work is done by Honorary Magistrates, the punishment being of a kind akin to native ideas.

"In Damoh, as might have been expected from the Deputy Commissioner's remarks in regard to inadequate sentences, a large proportion, *i. e.* 44·9 per cent of the persons brought before the Courts, were imprisoned. A similar result is observable at Seoni, where the law has been no doubt vigorously administered during the year. Whipping has been frequent at Mandla, the percentage there having been 23· as against 8 12 for the rest of the Division. The Magistrate has not commented upon this point

"Fine in addition to other punishment has been imposed in an increased number of cases in all the districts except Mandla."

The Deputy Commissioner of Damoh writes as follows :—

"(*Para.* 28.)—The number of persons sentenced to imprisonment has slightly increased, and the nature of the imprisonment awarded for the different terms has also been somewhat more rigorous than in last year. This was due to a number of the

cases being against habitual offenders. The greatest care was taken in tracing the previous convictions out and in several cases where several previous convictions were brought to light rigorous imprisonment was given."

It is seen that Damoh shows a higher proportion of imprisonment than any other district.

The Commissioner of the Narbada Division writes of his districts as follows (paras. 30, 31) :—

" * * Comparing the results of two years, it is not easy to see why (proportionately) more persons were 'whipped' and fewer 'fined only,' in Chhindwara during the year under report. The present law allowing whipping, only to be inflicted before Jail Superintendents, one would have thought, would have caused a decrease instead of an increase in whippings, as it has in all the other districts. And again, as has been shown before, offences for which 'whipping' is a fitting punishment, slightly decreased in Chhindwara in the year under report. I conjecture the explanation to be this, that there is only one Magistrate away from the Sadar who does any extent of Criminal work, and the bulk of sentences being awarded by Magistrates in the Sadar, there was no difficulty in carrying out this sentence of whipping; and on the other hand Sadar Magistrates happened to resort more than they did in 1872 to this description of punishment.

" In the Nimar and Hoshangabad districts again the decrease in whipping seems to be no matter for congratulation. The Deputy Commissioners in both districts note that some Magistrates are disinclined to award this punishment. And the Deputy Commissioner of Hoshangabad adds, that only two of his Honorary Magistrates inflict the punishment at all. This is a great pity, if it be that any Magistrates who have the means refuse to punish in this way. But I think that the provisions above referred to of the new Code, must doubtless be held largely responsible for the decrease in sentences of whipping. It would be absurd for Magistrates residing far away from the Jail to pass sentences of whipping in ordinary cases. I am glad to see that it is proposed to alter the law again, so as to enable all 1st and 2nd Class Magistrates to have their sentences of whipping (ordinarily) carried out at once at the Court-houses as before.

" Another noteworthy thing is, the strong tendency to the lighter kinds of punishment in Hoshangabad. The only place where any sort of severity is apparent is in the number of 'fines with imprisonment.' The 'fines only,' the 'whippings only,' and 'the direction to find security,' contrast very strangely with the same things in Narsinghpur. These kinds of punishment seem to be generally severest in Chhindwara; and considering as regards Betul; (1)—that there was an increase in offences against property; (2)—that only one Magistrate's Court is away from the Sadar; and (3)—that the percentage of 'whipping only' in 1872 was not abnormally high,—the present great decrease in 'whipping only' appears as a characteristic unaccounted for and seemingly unsatisfactory."

The figures for Sambalpur are thus explained by the Deputy Commissioner (para. 22) :—

" * * These results are just what might have been expected from the nature of the convictions during the past year, for a very large proportion were convictions for breaches of the salt laws, assaults, and other cases in which sentences of imprisonment would seldom have to be passed. There has also been a considerable decrease in the severity of the sentences of imprisonment awarded and the reason of this is that few old offenders were brought before the Courts in the past year, while in the year before there were a great many. In regard to sentences of fine there has been but little change, the great majority having again been for sums under Rupees 5. The number of persons sentenced to additional punishments is still small, and this must I think generally be the case in this district. The Gundas and other criminal classes who commit all the thefts, are persons of no means whatever, living often on

the earnings of their wives, and when in their cases fine is imposed in addition to imprisonment it must not only be a very small amount to stand any chance of being realized, but if paid, will fall only as a punishment on their families. Then again I do not think that in the case of these men whipping in addition to imprisonment is of much efficacy as a punishment, nor can it act as a deterrent to others Few really bad characters escape being whipped in Jail for breaches of discipline, and the punishment thus comes to be looked on as one of the disagreeable incidents of Jail life."

The features in the above table peculiar to Raipur and Bilaspur are not fully explained by the reports.

Simple imprisonment.

51. Other kinds of punishment shown in Statement III. suggest the following remarks.

The comparatively large number (32) of persons sentenced to simple imprisonment in the Upper Godavari District, includes 21 persons whose term of imprisonment extended only to one hour.

Solitary confinement.

52. Solitary confinement was ordered in the case of 776 against 337 in 1872 This is satisfactory. In former years orders for solitary confinement were too few. The propriety of giving such orders is still sometimes overlooked. On this subject the Commissioner of Jabalpur writes (para. 28):—

"Solitary confinement has been awarded to a reasonable extent in all districts. In Seoni where there was only one case in 1872, there have been 62 persons thus sentenced in 1873. Attention therefore has been paid to the remarks made on this subject in the two previous years. The want of cell accommodation has been got over by transferring persons sentenced to solitary confinement to the Nagpur Jail."

And the Commissioner, Narbada Division, writes (para. 38) :—

"Sentences of 'solitary confinement' are still seldom given in all districts except Betul, and even here the Deputy Commissioner notes that one Magistrate, the Tahsildar of Multai, gave no sentences involving solitary confinement Now that the new Jail has been built at Khandwa, there should have been more of these sentences given in Nimar. The Hoshangabad Jail has no solitary cells, and hence (partly) the rarity of the sentence there."

In Hoshangabad solitary confinement is seen to have been ordered in only eight instances.

Compensation to injured parties.

53. While the Courts imposed fines on 21,399 persons they ordered the whole or part of the fine to be paid to 1,707 persons in compensation under Section 308, Code of Criminal Procedure. In the Nagpur, Sagar, Hoshangabad, Betul, Bhandara and perhaps some other districts the provisions of the law in this behalf appear to have been somewhat overlooked. On the other hand they appear to have been duly taken advantage of in the Chhindwara, Narsinghpur, Raipur, Sambalpur and Bilaspur districts.

Compensation for frivolous and vexatious complaints.

54. Compensation for frivolous and vexatious complaints was awarded in 629 instances under Section 209, Code of Criminal Procedure. It should be awarded more frequently. The subject has been further dealt with in para. 32 above.

55. As regards degrees of punishment the following table is offered regarding fines in all Courts :—

Degrees of punishment of fine

Grade of Fine	1872.		1873.	
	Number of persons fined.	Percentage to whole.	Number of persons fined.	Percentage to whole.
Rupees 5 and under ..	15,937	79·3	16,826	78·7
„ 5 to 20 ...	3,281	16·3	3,470	16·2
„ 20 to 50 ...	732	3·6	897	4·2
Above Rupees 50 ...	159	·8	206	·9
Total ...	20,109	100·	21,399	100·

Fines of the larger amounts are seen to have been more numerous than in the previous year. Statement III. shows the districts in which they were imposed. They were most numerous in Sagar (32) and Jabalpur (38). The Deputy Commissioner of Sagar writes that in his district this "was largely due "to Sagar rioting cases, in which 13 persons were sentenced to fine above "Rupees 50,"—under a mistake of Judgment as was found on revision.

56. The relative proportions of Magisterial fines under each grade in each district are compared in the following table:—

Degrees of fine in different districts.

Districts.	Percentage of Fines.			
	Rupees 5 and under	Above Rupees 5 to Rupees 20.	Above Rupees 20 to Rupees 50.	Above Rupees 50.
Nagpur	83·6	13·	3·	·4
Chanda	82·6	11·7	4·8	·9
Bhandara	83·4	14·	2·3	·3
Wardha	86·2	9·7	3·7	·4
Balaghat	82·2	15·	2·8	...
Jabalpur	78·5	15·5	4·6	1·4
Sagar	72·8	21·5	4·4	1·3
Damoh	68·3	21·8	8·5	1·4
Seoni	76·	18·	4·	2·
Mandla	59·	32·6	7·8	·6
Hoshangabad	74·5	19·2	5·5	·8
Narsinghpur	77·5	18·	4·	·5
Nimar	81·7	13·6	4·	·7
Betul	67·9	25·2	6·	·9
Chhindwara	75·3	17·	6·	1·7
Raipur	84·2	12·2	2·8	·8
Bilaspur	85·3	12·7	1·6	·4
Sambalpur	82·	14·4	2·6	1·
Upper Godavari	85·2	8·6	3·5	2·7
Total average ...	78·7	16·2	4·2	·9

Fines appear here severest in those districts generally in which fine only was used proportionately seldom as a punishment (see the table given in para. 40 above.) From this, however, Balaghat and Bilaspur are exceptions. But these are two of the districts where money has its higher values. The Deputy Commissioner of Raipur mentions that property worth a rupee in Raipur would be valued at rupees 2 in Nagpur. And this difference in the value of money is doubtless duly considered by the Courts when pitching their sentences of fines.

The following extracts from the Divisional Reports are given :—

[*Commissioner, Jabalpur Division, para.* 32.]—" The total amount of fines inflicted in the several districts by Magistrates was as follows :—

		Number of persons fined.		Amount of fine, Rs
Jabalpur	...	2,698	...	22,773
Sagar	..	2,466	...	20,864
Damoh	..	536	...	4,181
Seoni	..	364	...	11,002
Mandla	...	316	...	2,684
		6,780		61,504

" The average amount of fine on each person was Rs. 9.

AVERAGE OF EACH DISTRICT.

		R.	a.	p.
Jabalpur	..	8	11	1
Sagar	...	8	7	4
Damoh	..	9	9	5
Seoni	...	12	9	10
Mandla	...	8	7	11

" The average for each district is shown in the margin. The highest average is in the Seoni district, and is explained by the Deputy Commissioner as due to the imposition of some exceptionally large fines in the Deputy Commissioner's Court.

" The average has risen* in all districts except Mandla, where it has fallen from Rs. 10-5-6 in 1872 to Rs. 8-7-11 in 1873. The increase in Sagar is explained, as in Seoni, by the large amounts imposed in a few specific cases. In Damoh and Mandla the high average of fine may be partly attributable to the low proportion in which this class of punishment is employed. Many petty offenders are probably whipped and imprisoned, who in Sagar would be fined. No explanation is given of the increased average in Jabalpur."

		R.	a.	p.
* Jabalpur	..	4	1	11
Sagar	..	6	10	10
Damoh	...	7	14	5
Seoni	..	5	0	4
Mandla	...	10	5	6

[*Commissioner, Narbada Division, para.* 32.]—" * * * The general run of fines appears to be severest in Betul. But the highest 'average amount of each fine' in any district is found in Chhindwara. The Deputy Commissioner considers that this amount—no less than Rs. 9-4-5 'is not excessive'. But I think it is excessive, unless indeed any of the 12 fines above Rs. 50 happened to be specially high for special reasons ; but nothing of the kind is said by the Deputy Commissioner in his Report. In Chhindwara, as well as in Betul, the fines run high for a poor district."

The peculiarly high standard of fines in the Betul district was commented upon last year also. The special attention of the Commissioner and Deputy Commissioner has now been drawn to the subject in order that any tendency there may really be to inflict fines without proper reflection as to their pressure on the individuals punished may now be checked.

The obligation to realize which now devolves on the Court which passes the sentence of fine, coupled with the better system under which the Courts have now to account for the fines they impose has, the Judicial Commissioner thinks, from what he has seen on inspection, tended to make Magistrates more careful than they sometimes used to be in pitching their fines on a proper standard.

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Realization of Fines.

57. The following account is compiled from Statement IV.

Dr.	Rs.	A.	P.	Cr.	Rs.	A	P.
Fines outstanding at the close of 1872 ...	1,31,642	0	0	Fines realized during 1873 ...	1,32,654	0	0
Imposed in 1873 ...	1,51,967	0	0	Reversed by Superior Courts ...	11,606	0	0
				Struck off as unrealizable ..	33,522	0	0
				Outstanding at the close of 1873 ..	1,05,827	0	0
Total ...	2,83,609	0	0	Total ..	2,83,609	0	0

Statement IV, shows the proportions of realizations of unreversed fines to be good in most Courts and Districts. They relate for the most part to recently imposed fines. Fines not realized promptly become in large measure unrealizable. The realization of a large proportion of the total outstandings is not expected. Some will be realized, but the bulk will be gradually struck off, and the amount to which the figure representing their present aggregate will gradually sink, may be estimated at Rs. 50,000 or Rs. 60,000. The present figure is higher by reason of laxity in realizing in earlier years.

Degrees of Whipping.

58. The sentences of whipping compare as follows with those in 1872 :—

Sentenced to—	1872.		1873.	
	Number of persons.	Percentage of total whipped.	Number of persons.	Percentage of total whipped.
10 stripes or less ...	1,378	37·	798	28·4
11 stripes to 20 ...	1,778	48·	1,321	47·
20 stripes to 30 ..	541	15·	692	24·6
Total ...	3,697	100·	2,811	100·

The proportion sentenced in each district to the two extreme grades of stripes are compared in the following table :—

Districts.	Total persons sentenced to whipping.	Sentenced to 10 stripes or less.		Sentenced to more than 20 stripes.	
		Number of persons.	Percentage.	Number of persons	Percentage.
Nagpur ...	195	72	37·	28	14·3
Chanda ...	125	28	22·4	48	38·4
Bhandara .	182	98	53·8	18	10·
Wardha ..	98	33	33·7	16	16·3
Balaghat ..	83	10	12·	13	15·6
Jabalpur ..	292	54	18·5	100	34·2
Sagar ...	367	66	18·	127	34·6
Damoh ..	93	17	18·3	23	24·7
Seoni ..	191	78	40·8	36	18·8
Mandla ...	153	38	24·8	59	38·5
Hoshangabad ..	75	27	36	12	16·
Betul ...	56	7	12·5	16	28·5
Nimar ...	108	33	30·6	19	17·6
Narsinghpur ...	167	31	18·5	52	31·
Chhindwara ...	81	33	40·7	1	1·2
Raipur ...	205	52	25·3	50	24·4
Sambalpur ...	140	80	57·	19	13·5
Bilaspur ...	197	39	19·8	55	28·
Upper Godavari District ...	3	2	66·6	...	...
Total ...	2,811	798	28·3	692	24·6

These tables show that whippings have again increased in severity, but that the punishment is inflicted very variably in different districts.

The following remarks on the subject by the Commissioner of the Nagpur Division command a certain degree of concurrence (para. 9) :—

> " In the matter of punishments there is still a tendency to adjust the number of stripes awarded when sentence of whipping is given to the magnitude of the offence ; such attempts are I think useless. Magistrates need not try to adjust stripes as they would rupees in a fine. A flogging is an integral punishment, and the great thing is to see, that when awarded it is felt. A sentence of a few stripes to a robust thief is often no punishment at all, and without going so far as to say that in awarding stripes Magistrates need not weigh the magnitude of the offence at all, I think that they should think first of the ability of the convicted person to bear a flogging. If they did this, we should not have so many sentences of less than 10 stripes."

Instructions on the subject have been issued from time to time during the year, and the tendency on the whole is seen to have been in what is believed to be the right direction.

59. The degrees of imprisonment inflicted during 1872 and 1873 by all Courts taken together are compared in the following table :—

Degrees of imprisonment.

Term of imprisonment.	1872.		1873.	
	Number of persons imprisoned.	Percentage of whole.	Number of persons imprisoned.	Percentage of whole.
Not exceeding 15 days ...	1,226	17·6	1,527	18·6
Ditto 2 months ...	2,437	34 1	2,696	32·6
Ditto 6 ditto ...	2,294	32·1	2,790	33·7
Ditto 2 years ...	1,015	14 2	1,078	13·
Ditto 7 ditto ...	139	2·	186	2·1
Total ...	7,141	100·	8,277	100·

The general standard on which imprisonment has been awarded is thus seen to have undergone no material change.

Degrees of imprisonment in different districts.

60. The following table illustrates the subject for each district separately :—

Districts.	Total persons sentenced to imprisonment.	Proportion to total punished.	Percentage of imprisonment.			
			Above six months.	Six months and under.	Two months and under.	Fifteen days and under.
Nagpur ...	814	25·	11·4	36·2	29·4	23·
Chanda ...	280	24·	6·8	33·2	40·4	19·6
Bhandara ...	330	28·3	15·8	17·	24·2	43·
Wardha ...	339	23·2	9·6	33·8	27·4	29·7
Balaghat ...	219	36·	6·	37·	42·5	14·5
Jabalpur ...	784	22·	15 5	32·	32·6	19 6
Sagar ...	758	22·6	13·5	30·2	35·6	20·7
Damoh ...	356	44·	17·	30·	41·	12·
Seoni ...	489	34·2	15·	39·5	32·5	13·
Mandla ...	205	32·0	19 5	46·8	26·4	7·3
Hoshangabad ...	572	24·	10·	28·3	43·5	18·2
Betul ...	305	30·7	18·4	38·	28 2	15·4
Nimar ...	329	21·6	16 7	39·5	31·	12·8
Narsinghpur ...	551	23·6	20·	37·	26·3	16·7
Chhindwara ...	355	35·4	28·	32·4	25·	14·6
Raipur ...	835	32·6	14·	35·5	37·5	13·
Sambalpur ...	201	23·2	16·	40·8	20·2	14·
Bilaspur ...	380	33·	12 6	38·7	34 2	14 5
Upper Godavari ...	95	28·5	6·3	21·	20·	52 7
Total proportion in Magistrates' Courts ...	8,197	26·7	14 5	34·	33·	18·5

In Bhandara and Wardha the proportion of imprisonments for 15 days and under appears somewhat large. This point in connection also with sentences to fewer than 10 stripes attracted attention last year. It was conjectured either that fine might appropriately have taken the place of some of those very short imprisonments or that the imprisonments were too short. Special reports which were called for, however, seemed to show that in many instances these comparatively mild punishments came to be inflicted on persons unable to pay fine in the case of very petty offences of the kind referred to in paras. 8 and 9 above.

There is reason to believe that there is general care to establish previous convictions against habitual offenders, and that as a rule they are punished with due severity.

On the other hand out of 104 sentences of upwards of three years' imprisonment passed by Deputy Commissioners under Section 36, Code of Criminal Procedure, 20 were reduced as too severe, and 35 annulled on reference to the Sessions Judge for confirmation.

F.—Witnesses.

General Results.

61. 106,064 witnesses attended before the Magistrates' Courts, and 1,064 before the Courts of Session during the year, as compared with 92,111 and 917 in 1872.

Magisterial Results

62. The following table shows the general detention of Magisterial witnesses for 1872 and 1873 :—

Periods.	1872.		1873.	
	Number.	Percentage of total witnesses.	Number.	Percentage of total witnesses.
Not detained beyond one day ...	83,374	90·5	95,843	90·3
Discharged on 2nd day ..	6,509	7·1	7,417	7·
" 3rd " ...	1,522	2·4	1,935	2·7
" 4th " ...	448		601	
Detained beyond 4 days ..	258		268	
Total ...	92,111	100·	106,064	100·

The proportions not detained beyond two days have slightly fallen off. This may be only apparent and due to statistical system, which was improved on the revision of registers, forms, &c, under the new Code of Criminal Procedure.

63. The tendency of the numbers of witnesses to increase is a little remarkable It has been progressive during the last three or four years as will be seen from the subjoined table :—

Gradual increase in numbers of witnesses year by year.

Year.	Number of cases disposed of.	Number of witnesses	Number of witnesses per case.
1870 ..	22,791	69,095	3·03
1871 ..	26,260	80,159	3·05
1872 ..	28,297	92,111	3·25
1873 ...	29,400	106,964	3·61

This is not easily accounted for. The increase for 1873 may like longer detentions be partly due to better Statistical system. Formerly a subordinate official kept a witness register and returned an abstract of it periodically. He would doubtless often write it up in arrears, and be likely to omit some witnesses altogether. Now a witness memorandum forms a special sheet in the record of the case itself, and being prepared along with the rest of the record is more likely to include correctly all witnesses in the case. The duty of collating the figures from these memoranda is left to the Statistic Writer.

64. The following table gives the figures for Magisterial witnesses in each district :—

Results in different districts.

District.	Number of cases disposed of.	Total number of witnesses.	Percentage discharged in one day.	Number detained beyond two days.	Number detained beyond four days.
Nagpur ...	3,475	12,940	88·5	329	17
Chanda ...	1,151	4,440	88 7	201	34
Bhandara ...	1,286	4,502	92·4	90	...
Wardha ...	1,488	5,390	92·	116	6
Balaghat ...	718	2,413	84·	155	54
Jabalpur ...	3,309	9,595	88·	381	47
Sagar ...	2,863	10,424	88·5	328	9
Damoh ...	799	3,046	89·7	104	17
Seoni ..	1,565	4,731	95·	71	20
Mandla ...	526	2,685	97·5	28	7
Hoshangabad ...	2,552	7,960	92·	137	17
Betul ...	992	4,081	90·6	92	...
Nimar ..	1,470	5,088	86·	246	3
Narsinghpur ...	1,923	7,852	97·5	16	..
Chhindwara ..	907	3,442	93·	59	4
Raipur ..	2 239	9,003	89·	289	18
Sambalpur ...	698	2,368	96·7	11	...
Bilaspur ...	1,132	4,920	87·5	120	..
Upper Godavari ...	307	1,184	93·	31	15
Total ..	29,400	106,064	90·4	2,804	268

Here we see 5·1 witnesses per case in Mandla, 4·1 in Betul, 4·1 in Narsinghpur, 4· in Raipur, and 4·3 in Bilaspur, and only 2 9 in Jabalpur; in Seoni 3·, and 3·1 in Hoshangabad. These differences, however, between district and district are doubtless in great measure due to the kind of cases disposed of. Thus Jabalpur has a large number of nuisance cases [without many witnesses] while Mandla has hardly any at all, but has as many cases as Jabalpur of cattle theft [with full number of witneses.]

So also when accused persons are in large numbers discharged without being put on their defence, there will be a smaller average attendance of witnesses. The largest proportions of witnesses discharged on the day of their first attendance are shown for Narsinghpur, Mandla, Sambalpur, and Seoni, and the smallest for Balaghat and Nimar. It is known that some of the longer detentions might have been avoided, sometimes, however, they are not avoidable, and in some districts the fewness of witnesses detained for 2, 3, or more days is even a little surprising.

Expenses of witnesses

65. Only Rs. 2,613 were paid to complainants and witnesses under Section 421, Code Criminal Procedure. Revised rules on the subject were passed by the Local Government under that section and published in the *Central Provinces' Gazette* of the 22th July 1873. In some districts there seems to have been a want of funds. But some Magistrates having been long without funds appear to have neglected opportunity to supply themselves with the requisite funds If the Chief Commissioner can make Budget allotments, very much larger sums might be properly paid away to complainants and witnesses to defray their reasonable expenses in attending the Criminal Courts.

G — Appeal, Reference and Revision.

Total appellate business

66. 2,037 persons appealed;

To Magistrates of Districts	..	1,234
To Courts of Sessions	..	663
To the Judicial Commissioner	..	140
Total	...	2,037

General results of appeal

67. The general results of the appeals disposed of are shown in the following table :—

Classes of appellate Courts.	Total appeals disposed of	Appeals rejected and dismissed		Sentences altered.		Sentences reversed.	
		Number	Percentage of total disposed of	Number.	Percentage of total disposed of.	Number	Percentage of total disposed of
Court of the Judicial Commissioner ...	132	99	75	14	10 6	19	14 4
Courts of Session ...	648	462	71 3	74	11 4	112	17 3
Magistrates of Districts ...	1,228	700	57	207	16 9	321	26 1
Total ...	2,008	1,261	62 8	295	14·7	452	22 5

The remarks by the Commissioners of the Jabalpur and Narbada Divisions on the subject are given below —

[*Report of the Commissioner, Jabalpur Division, para* 36]—" The number of appeals preferred to District Magistrates was 503, against 363 in 1872 The percentage of appeals to cases disposed of was 5 5 in 1873 against 4 in 1872 This increase must be partly due to the power given under the new Criminal Procedure Code to hear appeals in certain cases from the judgments of 1st Class Magistrates It might have been anticipated that the power of enhancing sentences on appeal would effect a reduction in the number of appeals If so, counteracting causes have obviously been more powerful This valuable provision would however so far appear to have been judiciously used, for though the Judicial Commissioner has sent for many of of the cases of enhancement, I believe he has not found interference necessary"

(*Para.* 37)—" Of the total number of appeals, sentences were confirmed in 59 6 per cent. modified in 10 3 per cent, and reversed in 21 8 per cent, while 2 3 per cent were rejected Under cases modified are entered cases in which enhanced punishment has been awarded by the appellate Court." " 178 persons preferred appeals to my Court during the year, against 210 in 1872 Of these 43 or 23 9 per cent were summarily rejected as inadmissible, the sentences of the lower Courts were confirmed in 92* or 51 per cent, modified in 15 or 8 3 per cent, and reversed in 23 or 12 7 per cent, leaving 7 persons whose appeals were pending at the close of the year, the oldest of which was preferred on the 31st October 1873 This case had to be remanded twice to the lower Court for further investigation and was not disposed of until after the close of the year"

* This includes 3 persons whose sentences were enhanced

[*Report of the Commissioner, Narbada Division, para* 43]—" The five Deputy Commissioners disposed of 420 appeals, disposals were generally prompt The percentage of sentences confirmed to sentences appealed was as follows —

		From unpaid Magistrates.	From Stipendiary Magistrates
" Hoshangabad	...	30 7	35 3
" Narsinghpur	..	43 1	66
" Nimar	...	62 5	10 0
" Chhindwara	...	...	39 1
" Betul	...	58 3	51 9

" The Hoshangabad figures (both for the Honorary Magistrates and Stipendiary Magistrates) are much below what one would like to see The total number of appeals to appealable cases continues small in all districts. The new power to enhance sentences on appeal, has been exercised by all District Officers except the Deputy Commissioner of Betul It has, however, been exercised on the whole sparingly except perhaps in Chhindwara And its existence does not seem to have frightened appellants into not appealing at all, for more appeals were preferred than during the year before The provision of *power to* enhance is doubtless a fair and just provision of the law, for hitherto the advantage was wholly on the side of appellants"

(*Para* 44)—" Appeals to the Sessions Court fell from 373 to 283 during the year under report. Out of this last number 271 were disposed of as follows —

13	were rejected
181	Sentences were confirmed
28	" modified
5	" enhanced, and
44	" reversed

The Judicial Commissioner has inspected every case in which sentences have been enhanced on appeal by Magistrates of Districts, and has been generally satisfied with the judgment exercised in the enhancement.

References to Sessions Judges under Section 36, Code of Criminal Procedure.

68. The following table gives the results of references to Sessions Judges for confirmation of sentences passed by Deputy Commissioners under Section 36, Code of Criminal Procedure :—

Division.	Sentences.					Remarks.
	Referred for confirmation.	Confirmed.	Modified.		Annulled.	
			Reduced.	Enhanced.		
Nagpur ...	9	3	3	...	3	
Jabalpur ...	21	10	8	...	3	
Narbada ...	58	25	6	...	27	
Chhattisgarh ...	16	11	3	...	2	
Total ...	104	49	20	...	35	

The Commissioner of the Jabalpur Division writes on the subject as follows :—

(*Para.* 37).—"The decrease in appellate work was in a measure counterbalanced by cases which came up for confirmation under Section 36 of the new Code. The Judicial Commissioner is aware of the difficulties which have been caused by the general and apparently incomplete scope of this section. The chief of these is that, no provision having been made for further enquiry, a Commissioner may have to acquit an accused person against whom there is a good *primâ facie* case on account of some omission on the part of the convicting Magistrate. * * * * Lastly there appears to be no sufficient compensating advantage to counterbalance the waste caused by taking up the time of three Courts, viz. the convicting Court, the confirming Court, and the appellate Court, in hearing the same case."

A special report on the subject was made during the year.

References to Judicial Commissioner for confirmation of sentence of death.

69. During the year orders were passed by the Judicial Commissioner's Court as a Court of reference in respect of 28 sentences of death [2 being of 1872] passed by Courts of Session. The sentences were confirmed in respect of 25 and reversed in respect of 3 persons.

Revision.

70. The cases of 127 persons were specially dealt with by the Judicial Commissioner's Court as a Court of revision. The sentences on 67 persons were reversed, and on 19 modified.

YDL—14—103—389

II. Durations.

In Magistrates' Courts, Police cases.

71. The following table shows durations of Police cases in Magistrates Courts : –

District.	Total number of cases in Statement No. 5 A.	Disposed of in 1 day.		Disposed of in 2 days.		Disposed of in 3 and 4 days.		Disposed of in from 5 to 15 days.		Delayed more than 15 days.		Average duration.
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	
Nagpur ...	1,507	1,039	69·	164	11·	142	9·	134	9·	28	2·	2·4
Chanda ...	587	442	75·3	39	6·6	30	5·2	57	9·7	19	3·2	2·8
Bhandara ...	552	373	67·7	61	11·	51	9·2	59	10·7	8	1·4	2·2
Wardha ...	589	401	68·	85	14·4	35	6·	51	8·6	17	3·	2·5
Balaghat ...	401	276	68·8	49	12·3	31	7·7	35	8·7	10	2·5	2·5
Jabalpur ...	1,878	1,471	78·3	161	8·6	112	6·	109	5·8	25	1·3	2·2
Sagar ...	1,577	1,162	73·6	154	9·8	125	8·	115	7·3	21	1·3	2·2
Damoh ...	439	270	61·6	52	11·8	45	10·3	54	12·3	18	4·	3·3
Seoni ...	710	570	80·3	41	5·8	37	5·2	57	8·	5	·7	1·9
Mandla ...	401	333	83·	14	3·5	12	3·	33	8·2	9	2·3	2·2
Hoshangabad ...	1,108	732	66	163	14·7	98	9·	92	8·3	23	2·	2·5
Betul ...	581	453	78·	47	8·1	42	7·2	36	6·2	3	·5	1·8
Narsinghpur ...	1,079	929	86·4	53	5·	33	3·	55	5·	7	·6	1·6
Nimar ...	758	589	77·7	65	8·6	61	8·	38	5·	5	·7	1·8
Chhindwara ...	505	363	72·	55	11·	27	5·2	46	9	14	2·8	2·6
Raipur ...	1,322	845	64·	135	10·2	106	8·	163	12·3	73	5·5	3·2
Sambalpur ...	488	439	90·	11	2·2	13	2·7	21	4·3	4	·8	1·5
Bilaspur ..	665	379	57·	123	18·5	52	7·8	91	13·7	20	3·	3·
Upper Godavari.	122	78	64·	7	5·5	6	5·	12	10·	19	15·5	14·
Total ... 1873	15,269	11,144	73·	1,481	9·7	1,058	7·	1,258	8·3	328	2·	2·5
Total ... 1872	14,845	10,717	72·	1,527	10·	1,056	7·	1,256	9·	289	2·	2·4

On the whole there has been an increase in average durations. It has occurred in spite of special and repeated injunctions to take up and dispose of Police cases promptly. In *some* degree it was preventable, and so far is to be regretted.

In Nagpur it was excessive, and is not fully explained in the reports. It is also excessive in Chanda, although the Deputy Commissioner writes as follows :—

(*Para.* 129).—" The average duration in the disposal of Police cases shown in Division A. of Statement V. has fallen from 3·1 in 1872 to 2·8 in 1873, while the Provincial average for 1872 was 2·4 days."

(*Para.* 130).—" It is hoped that this improvement in the working of the Courts will be considered satisfactory. The subject has been noticed by the Commissioner and Judicial Commissioner frequently, and the stringent instructions issued on the subject have, I am glad to say, at last had effect."

In Bhandara there has been no improvement as compared with the previous year. In Wardha there has been a falling off; the Deputy Commissioner writes :—

" Most of the Courts which had Criminal work alone show better durations than others, and 'the average duration in my own Court is 3·3 days, which is unavoidable for the following causes. On reference to the records of some of the long pending cases, I find that the cases sent up by the Tahsildar of Arvi, and the Honorary Magistrate

of Ashti, for enhanced punishment under Section 44 of the new Code, took up a long time for disposal, owing to the long distance, the accused had to travel and the District Magistrate then happening to be out on tour. I also find that in some cases fresh witnesses had to be summoned; and in one case even from Nagpur. The district average duration of Police cases is on the whole high, and I will adopt means to reduce it within reasonable bounds during the current year.."

It is to be hoped these measures will be effectual. The Deputy Commissioner of Balaghat takes credit for some improvement, but there is room for more. For the Jabalpur Division the Commissioner writes as follows :—

(*Para* 41.)—" * * * The Deputy Commissioners of Sagar and Damoh have given full details in their reports and statements regarding the falling off in their districts. In Jabalpur the increase in duration was chiefly due to a number of cases more or less connected with each other against weighmen, in which the Magistrate, Captain Miller, deferred judgment until he had completed the enquiry in all. Further in this district the Magisterial staff was for a time short handed, and their difficulties were increased by necessary changes in the location of the Courts, which caused delay and confusion. The lengthened enquiry necessary in one case raised the duration of the Mandla district."

The Deputy Commissioner of Sagar's remarks are here added :—

(*Para.* 108.)—" On the receipt of Circular No. XXVIII. of 1873, and the Provincial Judicial report for the last year, the attention of all the Magistrates in the district was directed to suggestions of the Judicial Commissioner, to dispose of Police cases on the day Police challans are received. From the figures of the Statement, some improvement seems to have been effected, as the number of Police cases disposed of in one day has increased from 842 or 64·7 per cent the total disposed of in 1872 to 1,162 or 73·6 per cent in the last year. The number of the Police cases which lasted to the 2nd and 3rd days has also decreased from 158 and 106 in 1872 to 154 and 66 in last year. This number should still be reduced, and as noticed by the Registrar Judicial Commissioner's Court in his letter No: 1542 of the 15th ultimo (December) there probably must have been some avoidable laxity on the part of some of the Magistrates. I have, therefore, again impressed on them the necessity of promptitude in dealing with such cases, as soon as they are brought before them.

" In almost all the cases which lasted for more than 4 days additional evidence was sent for; had not this been the case the average duration would have fallen.

" These witnesses were sometimes sent for from distant parts of the district. From this I do not wish to be understood to say that the Police cases were received incomplete, but, as stated in para. 74 of last year's report, it is generally the case that the accused persons call witnesses for their defence which they did not mention to the Police at all, and Magistrates are obliged to send for them to complete investigation.

" There is a high duration in the following Courts :—

Deputy Commissioner	...	2·8
Captain Morris	...	6·8
Mr. Aulad Hussain	...	2·8
" H. F. Bartlett	...	3·3
" Ali Hussain Khan	...	7·3
" H. E. M. Impey	...	4·9
Rao Zorawar Singh	...	2·7
Rajai Dubi	...	2·4

" The reasons already recorded more or less apply to the above high duration.

" The average duration in my Court has increased by my having received 34 cases under Section 46 of the Criminal Procedure Code, after they had pended before the forwarding Magistrate for a along time; and the duration of this Court, as well as the time expired in the way, has been included in duration of my cases. Excluding these cases and the cases in which further evidence was sent for, all the Police cases in my Court were disposed of on the same day they were received, as the Statement itself shows 231 cases as having been disposed of in one day.

" The average duration before Rajaram which is slightly high is owing to his unexpected ill health by which some cases were not disposed of for four or five days.

The average duration before the following officers is so low as to be worthy of note :—

Captain Morris, Officiating Deputy Commissioner			...	1·6
Mr. Madad Imam	...	...	...	1·5
„ Takhat Singh	...	...	...	1·6
„ Damodhar Rao	...	...	...	1·2
Rao Krishen Rao	...	...	...	1·
Rao Ram Chund Rao	...	...	...	1·7
Rao Lachmun Rao	...	...	...	1·2
Rao Balwant Singh	...	...	...	1·3
Colonel Bartlett	...	...	...	1·3
Captain Morris	...	...	...	1·3

" 8 cases lasted for more than 30 days each ; they may be accounted for as follows :—

" 5 cases are shown as having lasted above 30 days. They were disposed of by me on the same day I received them for severer punishment under Section 46, Criminal Procedure Code. But the delay occurred in their disposal before the Honorary Magistrate, as one accused stated that the stolen property was mortgaged to him by the other accused in Jail at Sagar. The Honorary Magistrate did not send for this prisoner as he should have done, till he satisfied himself by the evidence of the former accused that the latter was the actual mortgagee of the stolen property. When the prisoner (the mortgager) attended, he denied the charge and called witnesses for defence. Time would have been saved had the Honorary Magistrate either referred the case to me or summoned the witnesses and prisoner at once. I give this as an instance of avoidable delay.

" 2 cases lasted above 30 days before Mr. Aulad Hussein. In one he had to summon witnesses for defence through the Political Agent of Bundelkhand, and the requisition was not complied with until a reminder was sent to that officer. In the other case an important witness was sent for from Allahabad ; he took a long time before he appeared.

" 1 case lasted for above 30 days before Mr Abdul Majid. This case was instituted on the 12th March 1873. On the 16th, witnesses were sent for through the Political Agent, Bhopal, but they did not appear ; and on the 19th April the Court decided the case, without their attendance, on its merits. In the beginning the delay of three days was avoidable. His attention has been called to this and he has been directed not to put off any case without a substantial cause."

The Deputy Commissioner of Damoh's remarks are in like strain though not so clear. The Deputy Commissioner, however, observes that the excessive delays chiefly occurred [for reasons] in his own Court ; there should be improvement in this District. Seoni shows well. For the Narbada Division, the Commissioner writes as follows :—

(*Para* 45.)—" I am very glad to see improvement here in every single district. In Narsinghpur, Nimar and Betul the improvement is great, and it was needed. The Chhindwara and Hoshangabad districts are still (I think) much too high, and should be further reduced. Much attention has been devoted to this point in Narsinghpur, Nimar and Betul."

	1872.		1873.
Hoshangabad	2·9	...	2·5
Narsinghpur	2·2	...	1·6
Nimar	2·2	...	1·8
Chhindwara	2·9	...	2·6
Betul	2·8	...	1·

The Deputy Commissioners of Hoshangabad and Chhindwara seem to acknowledge the need of improvement. In Nimar there is some reason to apprehend that the comparative shortness of duration may be in a degree owing to prolonged detentions of accused persons by the Police unduly permitted by the Magistrate prior to the institution of the case on the Magistrate's file. The point is under enquiry. Betul and Narsinghpur show well, and it may be added here that the review now nearly ended of all the statements leaves the impression

that the Criminal administration of the Narsinghpur district has been uniformly good. Raipur shows very badly, and correspondence on the quarterly statements in mid-year brought out some real laxity as well as difficulty in correcting it. The Deputy Commissioner now reports that he has drawn the attention of the Magistrates to the instructions which have been given by the Judicial Commissioner, and improvement will be looked for. While the Deputy Commissioner makes exculpatory observations of general application, the durations of the Courts in his district continue about the worst in the Provinces. They are undoubtedly capable of reduction and ought to be reduced. The Bilaspur excessive durations are ascribed partly to defective Police presentation of cases, and here too there should certainly be improvement Sambulpur shows well. The specially high durations in the Upper Godavari district arise out of exceptional circumstances peculiar to that district.

Cases on complaint.

72. The average duration of cases on complaint in Magistrates' Courts also has slightly increased. Here again Raipur shows worst of all,—103 out of 917 cases pended over 31 days. Hoshangabad comes next with 104 out of 1,444 cases. The durations in Narsinghpur, Betul, Chhindwara, Sambalpur and Bilaspur also appear to be certainly susceptible of reduction.

The Commissioner of the Jabalpur Division has the following remarks for the districts in that Divison :—

(*Para.* 45)—" * * * The duration has increased in all districts except Seoni. The Deputy Commissioners have explained the cause in their reports and statements, but I may mention here that the falling off in Mandla has been caused by one case in which the accused did not surrender himself until his property was attached. The increase in Jabalpur was mainly due to some cases against a Forest official, in which lengthened enquiring was necessary, as his peculations were supposed to have extended over several years. In Sagar and Damoh the exceptional character of some of the cases, and in the latter district the illness of the Tahsildar of Hatta also, have tended to cause an increase of duration.

" I do not think any part of the delay can be set down to want of energy or industry on the part of the Magistrates, though possibly some little improvement might have been effected if Magistrates of districts had kept a closer watch over the files of Sub-Courts, and had interfered to relieve temporarily over-weighted Magistrates."

In Courts of Session.

73. The average durations of cases tried by the Courts of Session (reckoned from the day after commitment) are abstracted below :—

	1872	1873.
Nagpur Division	27	.. 46
Jabalpur do.	58	... 53
Narbada do.	61	... 71
Chhattisgarh do.	68	... 120

The exceptionally long durations in the Chhattisgarh Division are accounted for by the usual summer Sessions not having been held at Sambalpur. This proved unfortunate, for when at length Sessions were held in December, 6 accused persons, who might have been tried in May, were found entitled to acquittal after awaiting trial, one for 227, one for 238, two for 284, and two for

312 days, exclusive of the period of inquiry before the Committing Magistrate. Sambalpur is no doubt distant and difficult of access; but then avoidance of mischances of this sort is very important.

Conclusion.

74. The statistics for this Report, have been as usual intelligently compiled by and under the direction of the Head Clerk, Mr. Keenan, to whom acknowledgments are again due.

I have the honor to be,

Sir,

Your most obedient Servant,

S. JACOB,

Offg. Registrar.

IMPERIAL STATEMENTS.

7 50 760

JUDICIAL STATEMENT B1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1873.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only.	Paid ..	4	2,231	91,833	4	A single Judge presides over each Court, Jury or Assessors not employed.	Each Judge had powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure.	..	3	1	...	9,000	...	..	...	Three of the paid Judges are Civil Surgeons. One of these is also General Assistant to the Deputy Commissioner. The fourth is the Officer Commanding at Pachmarhi.	excluding Sundays and general holidays.	in the Courts of the Central Provinces.	55	..	...	
	Unpaid..	17	593	59,231	68			..	...	1	67	...	...	...	...				9,026	..	..	
Magistrates of the second and third classes exercising Criminal, Civil and Revenue powers.	Paid ..	50	1,903	1,59,803	59	Do.	Each Judge had on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces' Courts' Act (XIV. of 1865), and had on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV of 1863.)	3		2	54	5,000	1,483	Rs. 6,90,869	Rs 6,20,864	These officers are Tahsildars (Sub Collectors) and Extra Assistant Commissioners. They are employed generally in the Administrative work of the districts to which they are attached.			9,421	38,020	4,790	..

Small Cause Courts confined to proper functions.	Paid	1	834	2,44,626	2	A single Judge presides over each Court; Jury, or Assessors not employed.	One Judge had power to hear suits up to Rs. 1000, under Act XI. of 1865, and the second Judge is Registrar of his Court, who, under the same Act, has been invested with power to hear suits.	1	.	1	12,000	3,000			...	250 days	46 Pleaders' practise	..	5,677		
Do. invested also with Criminal powers.	Paid ...	3	1,629	1,71,668	5	Do.	One of these Judges under Act XI. of 1865, and three under Acts XI of 1835, and XXII. of 1864, had powers to hear suits up to Rs. 500 in value. Four of these Judges exercise the powers of a Magistrate of the 1st Class, under the Code of Criminal Procedure. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs. 20.	..	4	.	1	8,100	1,920			Three of these Judges are Cantonment Magistrates.			933	5,361	.	.
Do. invested also with ordinary Civil or Revenue powers.	Paid ...	1	10	11,128	1	Do	This Judge had on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs 500 in value, and of a nature cognizable by Courts of Small Causes. He had further been invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	1	.	.		8,400	...			Cantonment Magistrate (Sagar.)			228	439	13	
Naib Tahsildars invested with Civil powers only.	Paid ...	10	1,479	1,68,926	10	Do.	Each Judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV. of 1865 "The Central Provinces' Courts Act."	.	..	...	10	...	707		They assist Tahsildars in the general administration of the Subdivision of District (Tahsil) to which they are posted.			...	7,250	...	...
Benches of Magistrates.	Unpaid.	1	3,734	6,31,109	3	Each Bench consists of two Magistrates, Jury or Assessors not employed.	Each Bench exercises the powers of a Magistrate of the 1st Class, under the Code of Criminal Procedure.	.	..		6	...	..		...			491	...	...	...
Magistrates of the 1st Class (not Magistrates of Districts) invested with Criminal powers only.	Unpaid.	3	2,960	4,36,168	4	A single Judge presides over each Court, Jury, or Assessors not employed.	Each Judge has the powers of a Magistrate of the 1st Class, under the Code of Criminal Procedure.	...	...	.	4	..	..		...			905	...	...	..

JUDICIAL STATEMENT B. 1.—(*Continued*).

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles	Average population of each Division.	Number of Tribunals	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any	Judicial powers of each Tribunal Original or Appellate.	Total number of Judges. European. Covenanted	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native	Average annual salary of each paid Judge. European	Average annual salary of each paid Judge. Native	Total cost of Tribunals.	Net receipts from Stamps	Executive or other functions exercised by the same Officer	Average number of days in the year devoted to Judicial work	Average number of advocates attached to each Tribunal	Number of cases Decided during the year. Criminal.	Civil.	Revenue.	Appellate
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the first class (not Magistrates of Districts), invested with Civil and Revenue powers.	Paid ..	16	5,388	5,23,369	35	A single Judge presides over each Court; Jury or Assessors not employed.	In addition to the powers of a Magistrate of the 1st Class under the Code of Criminal Procedure each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law	6	7	6	17	6,095	4,676	...	..	These officers are Assistant and Extra Assistant Commissioners, and aid Deputy Commissioners in the general administration of the Districts to which they are posted.	..	...	5,961	18,457	567	..
Magistrates of the District exercising also Revenue and Civil Powers.	Paid	19	4,458	4,25,669	19	Ditto	In addition to powers of a Magistrate of the 1st Class as above, these Officers hear appeals from convictions by Magistrates of second and third classes 18 of them were invested with special powers under Sec. 36 Code of Criminal Procedure to try all offences not punishable with death On the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV of 1865. On the Revenue side they have the powers of a Collector under the Rent Law	4	13	2	...	15,740	...	...	...	These officers are Deputy Commissioners invested with administrative charge of Districts	..	..	2,380	299	8	4,136

Courts of Session exercising also Civil and Revenue powers.	Paid	...	4	21,178	20,21,927	4	A single judge presides over each tribunal He is assisted by two Assessors when trying defended Sessions cases (Criminal.)	These officers preside on the Criminal side over Courts of Sessions and try heinous offenders committed by Magistrates to their Courts for trial and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865, hear appeals in all Suits in which the value is Rs. 5,000 or more. and they also hear appeals from the Judgments of Collectors and Deputy Collectors in certain Suits under Act X. of 1859, (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and Act X. of 1870, the Land Acquisition Act. In the Revenue Department they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent law.	3	1	..	31,749	...	6,90,869	6,20,864	Commissioners have administrative charge of Divisions consisting of several Districts.	250 days excluding Sundays and general holidays.	40 Pleaders practice in the Courts of the Central Provinces.	105		383
Court of the Judicial Commissioner.	Paid	...	1	84,711	80,87,707	1		A single Judge presides over this Court unassisted by either Jury or Assessors The Judicial Commissioner's Court is the chief appellate Court in Criminal and Civil cases, hearing on the Criminal side appeals from the orders of the Courts of Session, and on the Civil side special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal Cases the Judicial Commissioner has also the powers of a Court of reference and revision given by the Code of Criminal Procedure to the High Court.	1			38,000									...	212

ABSTRACT.*

Number of Criminal Courts		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	123	Small Cause Courts	6
Magistrates of the 1st Class	46	Courts of the Naib Tahsildar	10
Benches of Magistrates	3	Courts of the Tahsildar	50
Magistrates of Districts	19	Courts of the Assistant Commissioner	29
Courts of Session..	4	Courts of the Deputy Commissioner	19
Court of Judicial Commissioner	1	Courts of the Commissioner	4
		Court of the Judicial Commissioner	1
Total ..	196	Total ..	119

* Under Administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal and as Civil Judges at the close of the year.

JUDICIAL STATEMENT B 2.—*(Criminal.)*

STATEMENT of Offences reported and of persons tried, convicted, and acquitted, for each offence in the Central Provinces in the year 1873.

Description of Offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
Class I.							
OFFENCES AGAINST THE STATE, THE PUBLIC, AND JUSTICE							
Against the State.							
1. Waging, or conspiring to wage war against the Queen ...	121, 121A	..	..	...	..	...	
2. Collecting arms, or concealing design to wage war ..	122, 123	...	...	...	...	..	
3. Assaulting Governor General, &c., with intent to compel or restrain the exercise of any lawful power ...	124	...	...	...	...	...	
4. Exciting disaffection or circulating false rumours ..	124A and 505	2	3	..	3	.	
5. War or depredation on allied powers ...	125 to 127	...	...	..	...	...	
6. Abetment of mutiny ..	131, 132	...	...	..	...	...	
7. Offences relating to the Army and Navy ...	133 to 138	...	...	...	...	...	
Relating to Coin, Stamps, Weights, and Measures.							
8. Counterfeiting coin	231 to 238	7	10	4	6	...	
9. Diminishing or altering coin ...	246 to 249	15	17	4	13	...	
10. Passing or possessing bad or altered coin ...	239 to 243 and 250 to 254	74	74	29	45	...	
11. Counterfeiting Government Stamp, or possessing or making instrument for the purpose ...	255 to 257	1	4	3	1	..	

JUDICIAL STATEMENT B 2.—(*Continued.*)

	Description of Offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
12.	Selling or possessing counterfeit Government Stamps ..	258, 259	1	1	..	1		
13.	Using as genuine counterfeit stamps, or effacing or altering same .	260 to 263	..	...	..	..	...	
14.	Making, using, or possessing false weights or measures ..	264 to 267	121	169	62	103	.	2 escaped.
	Against Public Justice.							
15.	Personating public servant or soldier ..	140, 170, 171	35	39	6	33	...	
16.	Concealing design to commit offence	118, 120	1	5	5	...	.	
17.	Omitting to give information of offence, or giving false information ..	176, 177, 181, 182, 202, 203	183	244	63	180	.	1 died.
18.	False information punishable under special revenue laws ..	Act X. of 1871, Secs. 70, 70, Act XXXVI. of 1855, Sec. 7.	1	1	.	1	.	
19.	Causing disappearance of evidence ..	201, 204	10	19	9	10	...	
20.	Resisting, obstructing, threatening or omitting to assist public servant .	183 to 187, 189, 190	109	201	68	130	1	2 escaped.
21.	Disobedience of lawful order causing injury .	188	31	67	13	53	1	
22.	Intentional insult or interruption in judicial proceedings .	228 and C. Cr. P. 435	46	51	2	49	..	
23.	Harbouring an offender .	212, 216	8	15	7	8		
24.	Taking or offering gift to screen offender ...	213 to 215	27	32	6	26		
25.	Resistance to, or rescue from lawful apprehension .	224, 225	38	71	21	49	..	1 transfered.
26.	Escape from lawful custody or transportation ..	224, 225A., 225	79	79	5	74	..	
27.	Aiding escape of State prisoner .	130	..		..	...	...	
28.	Absconding from, avoiding, or disobeying summons, notice, or order to attend or produce ..	172 to 175, and C. Cr. P. 435	93	186	29	157	..	

29.	Refusing to take oath, or answer, or sign ..	178 to 180	2	3	.	3	.	
30	Violation of condition of remission of punishment ..	227	..	..		..		
31.	Failure to attend as Juror or Assessor ..	C. Cr. P. 414	..	...	.		..	
	By Public Servan's.							
32.	Abetment or concealment of offence by public servant ..	116, 119	1	1	..	1	.	
33.	Taking valuable thing by, or to influence public servant	161 to 165 (read with Act XXXI. of 1867, 2.)	48	67	36	30	1	
34.	Public Servant acting illegally to injure any person ..	166, 167	12	16	6	9		1 escaped.
35.	,, unlawfully trading ..	168, 169	1	1	...	1		
36.	,, fraudulently defeating punishment or forfeiture..	217, 218	8	11	3	8		
37.	,, wilfully making order or decision contrary to law .	219, 220	1	1	1	..		
38.	,, intentionally omitting to apprehend, or permitting to escape ..	128, 221, 222	1	2	...	2	..	
39.	,, negligently suffering escape ..	129, 223	1	24	3	21		
40.	Breach of Police Act by Police Officers	Act V of 1861, 19. 29	34	40	8	32	..	
41.	,, Excise or Opium Act by Excise or Police Officers	Act X. of 1871, Secs. 69, 71 to 73, 76, and Act XIII. of 1857, 23, 28.	3	1	...	1	..	
42.	,, Salt Customs' Act by Customs, Police, or Land Revenue Officers	Act XIV of 1843. 11, and Act XXXVI. of 1855, 6, 7.	. .	...	..	..	..	
43.	Fraudulent breach of the Indian Post Office Act by Post Office Officials .	Act XIV. of 1866, 48 to 52 and 59.	2	4	2	2	..	
	False Evidence, False Complaints or Claims, and Forgery.							
44.	Giving false evidence ..	193 to 196	46	78	26	50	1	1 escaped.
45.	Fabricating false evidence ..	193 to 196	1	3	1	..	2	
46	Making, issuing, or using false statement or certificate .	197 to 200	5	10	6	4	..	
47.	False personation in judicial proceedings	205, 229	4	5	..	5	..	
48.	Fraudulent claim to, or concealment of property, or suffering of decree	206 to 208, 421 to 424	10	18	11	7	..	
49.	False claim in Court of Justice ..	209, 210	16	19	8	11	..	
50.	,, charge of offence ..	211	20	24	10	14	..	
51.	Forgery or fraudulently using or possessing forged document ..	465 to 469, and 471 to 477	28	53	32	20	..	1 escaped.
52.	Making or using false trade or property marks ..	282 to 489, and Act VII. of 1865, 6, Sub rule 21.		.	..	..	...	

JUDICIAL STATEMENT B 2.—(*Continued*)

	Description of Offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
	Public Nuisances							
53.	Public nuisances under the Penal Code ..	290 to 294A.	373	538	66	467	3	
54.	Nuisances under Police, or Municipal, or Cantonment Acts ..	Act V. of 1861, Secs. 34, 34, Act XVIII of 1864, 15, Act XXII. of 1864, 19, (except Cl. 7), 26, 29, 30, 31, 33, Act XV. of 1867, 18.	2,845	3,093	208	2,878	1	5 escaped.
	Relating to the Public Peace.							
55.	Rioting or unlawful assembly ..	143 to 153, 157, 158	49	525	161	364	.	
56.	Omitting to inform of, or prevent riot ..	154 to 156	1	2	..	2	..	
57.	Affray ...	160	197	885	119	766	...	
58.	Offences relating to religion ..	295 to 298	7	13	3	10	.	
59.	Abetments or attempts of the above offences, (Class I,) not separately provided for	... ..	14	28	8	20		
	Total Offences under Class I ..		4,626	6,752	1,063	5,675	10	14
	Class II.							
	OFFENCES AGAINST THE PERSON.							
	Serious.							
60.	Murder, by Thugs ..	302, 303	..	...	..	...	.	
61.	,, ,, Dacoits ...	302, 303, 396	...	...	...	...	..	
62.	,, ,, Robbers ..	302, 303	29	37	19	13	2	3 transferred.

63	" " poison - for sake of robbery ..	302, 303	4	5	5	...		
64.	" " poison - from other motives ..							
65	" " other - from motives connected with women	302, 303	13	18	5	10	3	
66.	" " other - from other motives		39	76	31	18	25	2 transferred.
67.	Attempt to murder ..	307	21	23	10	12	1	
68.	Culpable homicide .	304, 308	26	44	7	21	15	1 transferred.
69.	Causing death or grievous hurt by rash or negligent act .	304 A, 338	12	13	4	9	..	
70.	Abetment of suicide .	305, 306	8	5	3	2		
71.	Attempt to commit suicide ...	309	192	195	62	120	.	3 died.
72.	Causing miscarriage ..	312 to 316	6	8	6	1		1 escaped.
73	Exposure of infant or concealment of birth ...	317, 318	40	46	13	33	..	
74.	Grievous hurt	325, 326	137	191	47	144	..	
75.	" " on grave and sudden provocation .	325	16	18	2	16	.	
76.	Hurt by dangerous weapons .	324	78	104	26	70	1	1 died.
77.	Administering stupefying drugs ..	328	13	16	3	9	4	
78.	Causing hurt to extort property or confession	327, 329 to 331	8	21	17	4	.	
79.	" " public servant	332, 333	4	4		4	..	
80.	Wrongful confinement after issue of writ for liberation, or in secret	345, 346	..	..	...	...	..	
81.	" " to extort property or confession	347, 348	24	51	29	22	..	
82.	Assault of public servant, or to outrage modesty or to dishonor a person, or in attempt to commit theft or wrongful confinement	353 to 357	186	304	97	201	1	2 escaped.
83.	Criminal intimidation punishable with more than two years' imprisonment .	506	4	13	7	6	..	
84.	Buying or disposing of any person as a slave	370, 371	1	3	3	...	.	
85.	Kidnapping or abduction ..	363 to 365, 367 to 369	11	20	7	12	1	
86.	Abducting a woman to compel marriage, or for defilement	366	7	18	9	9	..	
87.	Selling, letting, or unlawfully obtaining a woman for purposes of prostitution ..	372, 373	2	3	3	...	..	
88.	Enticing a woman with criminal intent ..	498	206	279	207	67	..	5 escaped.
89.	Fraudulent and unlawful marriages ..	493 to 496	4	12	9	3	..	
90.	Adultery ..	497	88	101	76	21	3	1 escaped.
91.	Rape ...	376	32	43	31	12	..	
92.	Unnatural offences ...	377	17	18	9	9	..	

JUDICIAL STATEMENT B 2.—*(Continued)*

	Description of Offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial	Remarks.
	Minor Offences against the Person.							
93.	Hurt ...	323, 334	762	1,595	716	855	18	3 escaped, 1 died.
94.	Rash or negligent act, and hurt caused thereby ...	336, 337	23	27	9	18		
95.	Wrongful restraint. ..	341	110	183	77	100	6	
96.	" confinement ..	342 to 344	113	209	71	134	4	1 died.
97.	Assault or use of criminal force .	352, 358	7409	15,118	9,381	5,647	73	17 escaped.
98.	Criminal intimidation or insult ..	504, 505 to 509	942	1,711	921	775	12	3 escaped.
99.	Causing annoyance in state of intoxication ..	510	8	9		9		
100.	Unlawful compulsion of labour .	374	20	20	7	13		
101.	Defamation	500 to 503	243	415	297	116	2	
102.	Abetments or attempts of the above offences, (Class II), not separately provided for	... ..	36	80	29	45	6	
	Total Offences under Class II. ..	.....	10,877	21,016	12,263	8,551	178	44
	Class III.							
	OFFENCES AGAINST PROPERTY.							
	With Violence.							
103.	Dacoity ...	395, 397, 398	12	129	50	76	2	1 transferred.
104.	Preparation or assembly for dacoity	399, 402	..	..	...	.	.	
105 / 106	Robbery with hurt, or deadly weapon . / By poison or stupefying drugs / By other means	394, 397, 398	4	4	4	..	..	
107.	Robbery .. .. In a dwelling house	392, 393	16	18	5	5	..	
108.	Robbery .. .. On the highway	392, 393	19	31	15	15	1	
109.	Robbery .. .. Elsewhere	392, 393	31	54	23	29	..	

110	Extortion	384 389	73	127	277	49	..	
111	House breaking or house trespass, in order to commit theft	451, 454, 457	7,882	2,40	413	1,938	14	1 escaped, 12 transferred
112	House breaking or house trespass, in order to commit an offence other than theft	449 to 451, 454, 457	129	6	13	5		
113	Theft, or mischief, or house breaking or house trespass with preparation for, or attempt at, hurt	38 , 44 , 45 , 455, 458 to 460	25	49	23	2		1 escaped
114	House breaking or lurking house trespass	453, 456	229	19	34	16	1	
	Without Violence.							
115) 116)	Theft { Of cattle / Ordinary	379 to 381	1,409 / 11, 1	1,583 / 7,192	258 / 1,347	1,24 / 6,04	23 / 95	4 escaped, 51 transferred / 1 died, 26 transferred
117	Dishonestly receiving stolen property	411 to 414	487	622	244	5	2	1 died, 3 transferred
118	Dishonest misappropriation of property	403, 404	250	75	52	261	.	2 escaped.
119	Criminal breach of trust	406 to 409	41	39	122	26	7	1 escaped, 1 died, 2 transfd
120	Cheating	417 to 420	20	367	220	150		3 escaped
	Malicious Offences							
121	Mischief, ordinary	426, 427, 430 to 433	246	479	233	241	1	
122	" by poisoning or killing animals	428, 429	34	47	32	15	.	
123	" by destroying land marks	434	12	42	29	12	1	
124	" serious by fire	435 436, 438	146	44	40	13	1	
25	" to vessels	437, 439	..		..			
126	Criminal trespass, or house trespass	447, 448	97	1,729	614	1,108	6	1 escaped
127	Breaking open closed receptacle	461, 462	10	13	6	7		
128	Abetments or attempts of the above offences, (Class III),		44	108	22	85	..	1 transferred.
	Total Offences under Class III		26,40	16,575	3,943	12,426	92	112
	Class IV							
	OFFENCES NOT INCLUDED IN THE ABOVE CLASSES.							
	Other Offences against the Indian Penal or Criminal Procedure Codes							
129) 130) 131)	Belonging to a gang of { Thugs / Dacoits / Thieves	311 / 401 / 4 1	.. / .. / 2	19	.. / . /	.. / 7	1	
132	Criminal breaches of contracts of service	490 to 492	7	11	6	1		

JUDICIAL STATEMENT B 2—*(Continued.)*

	Description of Offence	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
132.	Apprehended breaches of the peace separately inquired into ..	C. Crl. P., 491 to 498	13	115	59	56	..	
133.	Vagrancy without ostensible means of livelihood ..	C. Crl. P., 501	240	251	89	163	2	
134.	Bad habit and repute ..	C. Crl. P., 505, 506	355	374	57	293	24	
135.	Abetments or attempts of the above offences, (Class IV) ..	. .	2	8	1	7		
	Total Offences under Class IV.	...	619	781	241	502	38	
	OTHER OFFENCES AGAINST SPECIAL LAWS.							
	Breaches of Laws relating to—							
137.	Salt and saltpetre ..	Act XIV. of 1843, XXXVI of 1855, and XIX. of 1862, as extended by Act VII. of 1864; Act XXXI of 1861, (amended by Act XXXIII. of 1867), and Act XXV. of 1869.	429	875	19	853	2	1 escaped.
138.	Apprentices ..	Act XX. of 1850, 13, 15	..	..			.	
139.	Railways .	Act XVIII. of 1854, amended by Act LII of 1860, XIII. of 1870, and XXV of 1871	141	163	18	145	..	
140.	Opium ..	Act XIII. of 1857 and Act X. of 1871.	199	255	48	206	..	1 escaped.
141	Wilful neglect of Magistrate's order to maintain lunatic ...	Act XXXVI. of 1858, 5	..	..	..	..	...	

142.	Breaches of contracts by artificers, workmen and laborers in certain cases ...	Act XIII. of 1859, 2, 3	..	..	..	..	..	
143.	Electric Telegraph ..	Act VIII. of 1860	...	..	..	..	..	
144.	Certain disputes between workmen on Railways and other Public Works, and their employers ..	Act IX. of 1860, 8	23	22	..	22	...	
145.	Arms and ammunition ..	Act XXXI. of 1860, and VI. of 1866	13	15	..	15	..	
146.	Stage carriages ..	Act XVI. of 1861	...	..	..	..	...	
147.	Municipalities and Cantonments ..	Act XVIII. of 1864, (amended by Act XXII. of 1865), Act XV of 1867; and Act XXII. of 1864.	71	85	11	74	...	
148.	Contagious diseases ..	Act XXII. of 1864, 19, Cl. 7, and Act XIV. of 1868.	64	67	21	46	..	
149.	Forests ..	Act VII. of 1865	265	630	149	478	6	2 escaped.
150.	Indian Companies ...	Act X. of 1866	...	..	..	...	...	
151.	Post Office ..	Act XIV. of 1866	4	6	1	5	..	
152.	Gambling ...	Act III. of 1867	87	585	56	529	..	
153.	Pendhari ..	Act XIV. of 1867, 3, Cl. 3.	...	..	...	..	..	
154.	The Press ..	Act XXV. of 1867, 12 to 16.	..	...	...	..	..	
155.	Stamps ..	Act XVIII. of 1869	183	376	96	284	2	
156.	Volunteers ..	Act XX. of 1869, 21	...	..	..	...	...	
157.	European Vagrants ..	Act XXI. of 1869, 14, 15, 19 to 23, 25, (amended by Act XXVIII. of 1871)	...	..	...	...	..	
158.	Acquisition of land ...	Act X. of 1870, 52	..	..	...	...	..	
159.	Prisons and prisoners (only offences and cases tried by Magistrates) ..	Act XXVI. of 1870, 45, 49, 51, and Act V. of 1871, 29.	13	18	6	12	..	
160.	Cattle trespass ...	Act I of 1871	229	485	219	265	1	
161.	Paper Currency ...	Act III. of 1871	...	...	..	..	..	
162.	Emigration ...	Act VII. of 1871, 72 to 76.	...	...	...	...	...	
163.	Registration ..	Act VIII. of 1871, 79, 80.	2	3	..	3	..	
164.	Spirits and drugs ...	Act X. of 1871	540	768	135	633	...	
165.	Indian weights and measures of capacity ..	Act XXXI. of 1871, 16	...	...	...	...	...	

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JUDICIAL STATEMENT B 2.—*(Continued.)*

Description of Offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
166. Indian Christian marriages ...	Act XV. of 1872, 68 to 71, 73 to 75.	...	...	...	...	...	
167. Purchase of soldiers necessaries ...	Mutiny Act, and Act VII. of 1867.	...	...	...	...	...	
168. Income Tax ...	Act.	...	...	...	...	...	
169. Being bound to attend to the wants of helpless persons and omitting to do so ...	491, I P. C.	1	2	...	2	...	
170. Imprisonment in default of security ...	510, C. Crl. P.	1	1	...	1	...	
171. Ferries ...	Act VIII. of 1854	2	3	..	3	..	
Total Offences against Special Laws ..		2,266	4,359	772	3,571	11	4
Total Offences under...	Class I. ...	4,626	6,752	1,053	5,675	10	14
	" II. ..	10,877	21,036	12,263	8,551	178	44
	" III. ..	26,407	16,575	3,943	12,428	98	112
	" IV. ..	619	781	241	502	38	...
	" V. ...	2,266	4,359	772	3,571	11	4
Grand Total ...		44,795	49,503	18,273	30,727	329	174

JUDICIAL STATEMENT B 3.—(*Criminal.*)

STATEMENT showing the general result of Criminal trials in the Tribunals of various classes in the Central Provinces in the year 1873

Class of Tribunals.		Number of persons dealt with							Persons disposed of.							
		Remaining at end of last year	Brought to trial during present year				Received by transfer	Total	Discharged without trial	Acquitted	Convicted.	Committed or referred.	Died, escaped, or transferred	Remaining at end of year	Average number of days during which each case lasted	Number of witnesses who attended
			Under arrest by Police	Upon warrant	Upon summons	Voluntarily										
Village Officers		..					..	..				..		..		..
Unpaid Magistrates		26	4,747	1,754	11,894	287	4	18,712	4,808	3,439	10,365	..	25	75	6 3	34,061
Local and Subordinate paid Magistrates		98	8,142	977	6,120	101	4	15,442	3,116	2,112	10,086	1	26	101	6 0	31,635
Full power paid Magistrate—exercising Jurisdiction throughout the District		130	7,742	1,085	2,553	40	7	11,557	2,250	1,257	7,716	234	38	62	5 7	31,22.
Chief Magistrates of Districts		59	2,429	377	844	69	9	3,787	833	384	2,439	22	85	24	6 4	9,145
Total Magistracy	1873	314	23,060	4,193	21,411	497	24	49,498	11,007	7,192	30,606	257	174	262	6 0	1,06,064
	1872	212	23,174	3,717	19,666	448	249	47,466	19,966	6,595	28,849	524	206	324	5 5	92,111
Commissioners of Divisions	1873	11	252		..	.		263	..	74	122	.		67	70·6	1,06
	1872	20	146	..		.	..	166	..	58	81	15	1	11	53 7	91,
High Court				.	.		.			.	..	.	..		.	.
Grand Total.	1873	324	23,312	4 193	21,411	497	24	49,761	11,007	7,266	30,728	257	174	329	6·3	1,071,28
	1872	245	23,703	3,717	19,660	448	249	48,028	10,938	6,741	29,232	539	207	341	5 7	94,455

JUDICIAL STATEMENT B4.—(*Criminal.*)

***STATEMENT** showing the punishments inflicted by the various Criminal Tribunals in the Central Provinces in the year* 1873.

Class of Tribunals.	Persons sentenced to												Persons ordered to find or give.			Remarks.
	Death.	Transportation. For life.	Transportation. For a term.	Penal servitude.	Imprisonment. Rigorous. With solitary confinement.	Imprisonment. Rigorous. Without solitary confinement.	Imprisonment. Simple.	Forfeiture of property.	Fine. With imprisonment.	Fine. Without imprisonment.	Whipping. In addition to other punishment.	Whipping. In lieu of other punishment.	Sureties of the peace.	Recognizance.	Sureties for good behaviour.	
Village officers	...	.	..		...	...	...	..	...	...		..	..	..	.	
Unpaid Magistrates	...	...	...	..	51	1,698	94	1	281	8,311	81	235	..	..	26	
Sub and local paid Magistrates	..	...	..	..	154	2,983	102	8	816	6,034	126	1,041	..	..	..	
Full power Magistrates of general jurisdiction	.	..	.	..	349	2,261	119	7	543	4,294	198	702	58	27	384	
Chief Magistrates of Districts	..	.	1	..	210	969	30	...	138	940	100	332	40	13	118	
Sessions Courts	24	15	..	..	12	80	...	..	15	2	..	..	..	..	...	
High Court	...	..	..	..	..	...	...	...	.	..	..	..	.	..	...	
Total ... 1873	24	15	1	...	776	7,931	346	16	1,793	19,752	505	2,310	98	40	448	
Total ... 1872	18	21	1	..	337	6,772	369	32	1,532	18,577	500	3,199	54	27	239	

JUDICIAL STATEMENT B5.—(*Criminal*).

Statement showing the results of Appeal and Revision in Criminal cases in the Central Provinces in the year 1873.

Tribunals		Number of appellants or persons applying for revision under Section 404, Code of Criminal Procedure	Number of persons: Appeals or applications rejected.	Sentences confirmed.	Sentences modified	Sentences reversed	Proceedings quashed	Further enquiry or evidence ordered	Pending.	Remarks
Magistrates of Districts	From unpaid Magistrates	489	13	232	68	170		1	6	
	From paid Magistrates	756	29	426	139	151		15	11	
Courts of Session	From unpaid Magistrates	24	10	3	3	8				
	From paid Magistrates	656	102	347	71	104		31	32	
Sadar Court, i e, Court of Judicial Commissioner	Appeals from Courts of Session and Magistrates of districts in the exercise of powers under Section 36 Code of Criminal Procedure	141	9	90	14	19	.	2	9	
	As a Court of Reference	28		25		3	.	.		
	As a Court of Revision	127		40	19	67	1			
Total	1873	2,221	163	1,163	314	522	1	49	58	
	1872	*2,109	111	1,124	264	563	6	53	33	* 8 referred to High Court for revision

JUDICIAL STATEMENT B11.—(*Criminal.*)

Statement showing use of Juries and Assessors in the Courts of the Central Provinces in the year 1873

Classes of Courts in which Juries or Assessors are employed distinguishing Criminal from Civil Courts	Established or average number of Jury or Assessors in each case, and prescribed qualifications	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials			Assessor trials		Note showing in what classes of cases Juries and Assessors have been principally employed
				Verdict in favor of the prosecutor or plaintiff	Verdict in favor of the accused or defendant	Jury discharged without verdict	Number of cases in which Judges agreed with Assessors	Number of cases in which Judges differed from Assessors	
Criminal Courts.									
Sessions Courts of Commissioner	Two Assessors in each case. The prescribed legal qualifications are education, character and age	..	99	...	..		75	24	Criminal trials by Courts of Session
Total 1873	...	..	99	...	...	..	75	24	
Total 1872	...	...	268	...	...		247	21	

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PROVINCIAL STATEMENTS.

Trial Statement of the Districts

Districts.	Number of cases disposed of.						Number of persons under inquiry For disposal.						
	Inquiries under Chapter XV., C. Cr. P.	Summons cases. Trials under Chapter XVI., C. Cr. P	Summons cases. Tried summarily under Chapter XVIII., C. Cr. P.	Warrant cases. Tried under Chapter XVII., C. Cr. P.	Warrant cases. Tried summarily under Chapter XVIII., C. Cr. P.	Total.	Remaining at end of last year.	Brought to trial during present year. Under arrest by Police.	Brought to trial during present year. Upon Warrant.	Brought to trial during present year. On Summons.	Brought to trial during present year. Voluntarily.	Received by transfer from beyond the Central Provinces.	Total for disposal.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ...	9	1,914	4	1,537	11	3,475	20	2,172	410	3,190	1	...	5,793
Chanda ...	6	536	8	595	6	1,151	9	922	177	625	15	2	1,750
Bhandara ...	4	448	0	807	21	1,280	12	787	508	942	11	..	2,260
Wardha ...	8	713	8	645	40	1,488	24	835	364	1,399	25	4	2,651
Balaghat ...	9	295	12	402	...	718	10	601	60	527	15	...	1,213
Jabalpur ...	8	1,637	180	1,414	64	3,309	11	2,894	430	2,030	74	...	5,439
Sagar ..	9	1,360	145	1,318	91	2,863	3	2,424	447	2,121	138	9	5,142
Damoh ..	4	322	1	471	1	799	3	651	100	493	25	7	1,285
Seoni ...	...	921	20	593	31	1,565	5	996	176	1,180	35	...	2,448
Mandla ...	4	177	13	326	6	526	1	688	13	176	11	...	889
Hoshangabad ...	20	1,503	4	1,022	3	2,552	17	1,759	237	2,788	13	...	4,814
Betul ...	6	467	47	435	39	992	1	869	95	623	10	...	1,598
Nimar ...	9	788	87	569	17	1,470	77	986	154	1,092	44	...	2,353
Narsinghpur ..	10	886	33	975	19	1,923	2	1,561	226	1,410	39	1	3,245
Chhindwara ...	17	387	41	401	61	907	16	810	157	593	8	...	1,584
Raipur ...	2	1,030	8	1,148	28	2,239	11	2,066	327	1,146	...	...	3,55[illegible]
Sambalpur ..		281	49	288	72	698	12	765	27	326	..	...	1,1[illegible]
Bilaspur ...	22	420	18	648	24	1,132	1	1,003	190	538	8	...	1,8[illegible]
Upper Godavari ..	..	104	37	148	18	307	24	211	87	206	25	1	554
Total ... 1873	178	14,129	799	13,742	552	29,400	313	23,060	4,193	21,411	497	24	49,498
Total ... 1872	...	...	..	..	..	..	212	23,174	3,717	19,666	448	249	47,466

MENT No. II.

of the Central Provinces for the year 1873.

and trial during the year.

Disposed of.							Remaining.				Remarks.
Discharged.							Since the month of.				
Complainant absenting himself or withdrawing complaint.	In other cases.	Acquitted.	Convicted.	Committed.	Died, escaped, or transferred beyond the Central Provinces.	Total disposal of	Over 2 months.	November.	December.	Total remaining, corresponding with Column 13 of Statement I.	
15	16	17	18	19	20	21	22	23	24	25	26
818	527	1,165	3,244	8	12	5,774	1	18	...	19	
105	292	169	1,175	5	4	1,750	...	...	...	...	
419	343	302	1,166	5	1[illegible]	2,248	...	...	12	12	
264	346	563	1,462	5	..	2,640	...	1	10	11	
188	166	232	669	6	4	1,205	...	2	6	8	
707	253	831	3,594	19	11	5,415	...	...	24	24	
754	575	356	3,365	12	43	5,105	1	...	36	37	
139	139	160	808	3	15	1,264	2	...	19	21	
400	174	386	1,428	18	1	2,407	1	...	40	41	
117	114	19	628	4	3	885	...	...	4	4	
1,132	450	772	2,384	45	10	4,793	...	...	21	21	
135	213	217	992	7	8	1,572	...	...	26	26	
367	187	241	1,515	12	24	2,346	1	...	6	7	
69	233	597	2,321	20	4	3,244	...	...	1	1	
156	155	250	1.002	12	2	1,577	...	...	7	7	
134	357	423	2,562	53	10	3,539	...	1	10	11	
63	79	101	865	12	2	1,122	1	3	4	8	
51	286	292	1,158	11	4	1,797	...	...	3	3	
18	82	116	333	...	4	553	1	...	...	1	
6,036	4,971	7,192	30,606	257	174	49,236	8	25	229	262	
10,968		6,595	28,849	523	206	47,142	13	45	266	324	

W E—18-29—360.

CRIMINAL STATE

Punishment Statement of the districts

Districts.		Number of persons sentenced to																			
		Death.	Transportation.		Imprisonment, otherwise than in default of fine or security.										Fine only.	Whipping only.	Give security for good behaviour.	Enter into bond to keep the peace (S. 497, C. Cr. P.)			Total.
			For life.	For a term.	Above 2 years.	2 years and under.		6 months and under.		2 months and under.		15 days and under.						With sureties.	Without sureties.	Any other primary punishment.	
						Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.								
1		2	3		4	5	6	7	8	9	10	11	12	13	14	15		16	17	18	19
Magistrates.	Nagpur	...	...	...	3	90	...	290	5	232	8	171	15	2,252	135	43		...	...	...	3,244
	Chanda	...	...	...	2	17	...	92	1	105	8	50	5	777	109	4		...	...	...	1,170
	Bhandara	...	...	...	3	49	...	51	5	76	4	136	6	667	158	11		...	...	...	1,166
	Wardha	...	...	1	8	24	...	111	2	90	3	89	12	1,024	91	7		...	...	...	1,462
	Balaghat	...	...	...	...	13	...	81	...	92	1	27	5	303	74	9		...	...	4	609
	Jabalpur	...	...	...	8	113	...	248	5	243	13	131	23	2,530	224	47		9	...	...	3,594
	Sagar	...	...	...	3	99	...	229	...	206	4	140	17	2,259	311	17		8	1	...	3,354
	Damoh	...	...	...	9	52	...	106	1	137	9	34	8	360	66	26		...	...	...	808
	Seoni	...	...	...	14	59	...	193	...	150	3	61	3	758	130	51		...	...	...	1,428
	Mandla	...	...	...	2	38	...	96	...	54	...	13	2	272	142	6		3	...	...	628
	Hoshangabad	...	...	...	...	57	1	156	5	236	13	92	12	1,733	57	22		...	...	...	2,384
	Betul	...	...	...	8	48	...	116	...	81	5	47	...	629	43	15		...	...	...	992
	Nimar	...	...	...	19	36	...	130	...	98	4	33	9	1,043	93	50		...	...	...	1,515
	Narsinghpur	...	...	...	11	99	...	197	7	137	6	76	16	1,549	123	76		22	...	...	2,321
	Chhindwara	...	...	...	29	70	...	113	2	85	4	42	10	561	73	13		...	...	...	1,002
	Raipur	...	...	...	9	109	...	295	1	297	15	96	13	1,526	154	45		2	...	...	2,562
	Sambalpur	...	...	...	...	32	...	82	...	59	...	25	3	526	135	3		...	...	...	865
	Bilaspur	...	...	...	11	37	...	147	...	123	7	44	11	577	189	3		...	4	...	1,153
	Upper Godavari	...	...	...	...	6	...	19	1	18	1	20	30	233	3	...		...	2	...	333
	Total ... 1873	...	...	1	139	1,048	1	2,752	35	2,585	110	1,327	200	19,579	2,310	448		44	7	4	30,590
	Total ... 1872	...	...	...	36	857	7	2,224	31	2,294	120	1,045	208	18,554	3,183	239		33	12	2	28,845
Courts of Session.	1873	24	15	...	47	29	...	3	...	1	...	...	...	3	...	...		...	...	...	122
	1872	18	21	1	103	135	...	53	2	23	...	2	1	23	16	...		5	...	...	405
Grand Total...	1873	24	15	1	186	1,077	1	2,755	35	2,586	110	1,327	200	19,582	2,310	448		44	7	4	30,712
	1872	18	21	1	139	992	7	2,277	33	2,317	120	1,047	209	18,577	3,199	239		38	12	2	29,248

MENT No III

of the Central Provinces for the year 1873.

Number of persons sentenced to additional punishments							Number of persons sentenced to fine					Number of persons sentenced to whipping.				Number of persons	
Fine in addition to imprisonment or other punishment, not including whipping	Whipping in addition to imprisonment, with or without fine also	Whipping in addition to fine only	Solitary confinement.	Forfeiture of property.	Required to give: Recognizance to keep the peace.	Required to give: Security to keep the peace.	Above Rs 50	Rs 50 and under.	Rs. 20 and under.	Rs 5 and under.	Total	21 to 30 stripes.	11 to 20 stripes.	10 stripes or less.	Total.	To whom compensation has been ordered to be paid from fines (S. 308, C. Cr. P.)	Ordered to pay compensation to accused persons (S. 209, C Cr P.)
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37
108	58	2	61	...	4	4	8	70	309	1,975	2,362	26	95	72	195	47	110
36	14	2	46	13	...	...	8	39	95	674	816	48	49	28	125	111	37
61	22	2	40	..	...	..	2	18	102	613	735	18	66	98	182	29	20
26	7	...	15	3	...	...	4	39	102	905	1,050	16	49	33	98	52	30
57	9	..	13	...	...	9	...	10	54	296	360	13	60	10	83	71	13
168	68	...	68	..	6	10	38	129	419	2,112	2,698	100	138	54	292	98	57
204	56	3	95	...	10	13	32	107	532	1,795	2,466	127	174	66	367	47	94
76	27	..	36	.	...	...	6	37	95	298	436	23	53	17	93	74	19
106	61	...	62	...	...	...	16	35	156	657	864	36	77	78	191	63	21
42	11	...	24	...	6	4	2	24	103	187	316	59	56	38	153	54	7
162	16	2	8	...	...	...	16	104	364	1,413	1,897	12	36	27	75	40	27
66	13	..	103	...	...	...	6	42	175	472	695	16	33	7	56	32	22
50	15	...	27	..	..	..	8	41	148	893	1,093	19	56	33	108	122	46
125	42	2	25	...	2	7	9	68	300	1 297	1,674	52	84	31	167	369	44
114	8	...	39	...	...	...	12	40	114	510	676	1	47	33	81	65	25
182	51	1	71	...	...	...	15	49	208	1,442	1,714	50	108	52	205	206	25
48	5		16	...	...	...	6	15	82	471	574	19	41	80	140	102	11
91	8	...	12	...	...	1	2	11	85	570	668	55	103	39	197	102	10
56		...	..	.	5	..	8	10	25	246	289	...	1	2	3	21	11
1,778	491	14	764	16	33	54	198	891	3,468	16,826	21,383	692	1,321	798	2,811	1,705	629
1,467	496	3	306	32	10	16	138	701	3,259	15,923	20,021	538	1,769	1,374	3,681	...	849
15	...	...	12	...	..	...	8	0	2	...	16	..	..	..	...	2	...
56	..	1	21	...	5	..	11	3	...	...	14	..	..	...	..	.	..
1,793	491	14	776	16	33	54	206	897	3,470	16,826	21,399	692	1,321	798	2,811	1,707	629
5,523	496	4	337	32	15	16	149	704	3,259	15,923	20,035	538	1,769	1,374	3,681	...	849

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Fine accounts of the Districts of

Districts.	A.—ADMINISTRATION.																				
	Amount of realization.									Amount realized &c.											
	Balance remaining to be realized at the close of last year.			Amount of fines imposed during the year.			Total for realization.			Realized during the year.			Become unrealizable. Owing to reversal of sentence.			Become unrealizable. Through lapse of time, and struck off under sanction of Deputy Commissioner.			Total.		
1	2			3			4			5			6			7			8		
	Rs.	a.	p	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p	Rs.	a	p	Rs.	a.	p.	Rs.	a.	p
Nagpur ..	6,457	11	0	11,227	13	9	17,685	8	9	10,604	5	9	127	4	3	1,382	10	3	12,114	4	3
Chanda ..	2,739	4	11	4,747	5	6	7,486	10	5	4,246	9	6	235	0	0	694	4	9	5,175	14	3
Bhandara ..	2,588	9	1	3,160	13	0	5,749	6	1	2,806	6	3	60	0	0	437	14	4	3,304	4	7
Wardha ..	2,795	8	9	4,663	14	6	7,459	7	3	4,352	10	10	25	0	0	674	2	2	5,051	13	0
Balaghat ..	774	8	8	1,929	7	0	2,703	15	8	1,843	0	3	...	...	...	8	0	0	1,851	0	3
Jabalpur ..	14,366	6	4	22,773	0	9	37,139	7	1	17,429	6	5	2,220	12	0	1,321	8	3	20,971	10	8
Sagar ...	21,096	9	10	20,864	4	0	41,960	13	10	17,360	2	5	1,370	13	6	12,176	7	10	30,907	7	9
Damoh ...	1,494	13	10	4,181	6	9	5,676	4	7	2,756	3	9	500	0	0	185	4	3	3,441	8	0
Seoni ...	7,702	9	9	11,002	0	6	18,704	10	3	8,394	0	0	2,041	7	10	1,276	12	3	11,712	4	1
Mandla ...	2,370	9	0	2,684	6	0	5,054	15	0	3,108	4	9	...	...	...	748	14	4	3,857	3	1
Hoshangabad ...	14,462	13	9	12,779	5	0	27,242	2	9	11,810	13	1	100	0	0	4,679	3	4	16,090	0	5
Betul ..	9,780	6	8	5,077	10	9	14,858	1	5	5,011	4	0	43	0	0	1,109	1	9	6,163	5	9
Narsinghpur ..	8,079	4	7	10,070	2	0	18,149	6	7	9,285	13	4	350	0	0	1,648	7	1	11,284	4	5
Nimar ..	3,325	0	11	7,908	10	4	11,233	11	3	7,670	7	1	...	...	...	913	15	3	8,584	6	4
Chhindwara ..	3,078	4	1	6,269	7	0	9,347	11	1	4,391	1	11	1,353	13	11	1,083	13	1	6,828	12	11
Raipur ...	4,063	0	5	10,823	3	0	14,886	3	5	8,086	8	8	1,900	0	0	744	6	0	10,730	14	8
Sambalpur ...	2,551	0	3	3,270	15	0	5,821	15	3	2,943	6	4	...	...	...	684	4	0	3,627	10	4
Bilaspur ...	4,326	13	2	3,061	12	0	7,388	9	2	2,658	3	0	40	8	0	472	4	3	3,170	15	3
Upper Godavari ...	1,700	12	2	1,998	2	7	3,698	14	9	1,799	6	10	100	0	0	741	3	3	2,640	10	1
Total ...	113,754	3	2	1,48,493	11	5	2,62,247	14	7	1,26,058	2	2	10,467	11	6	30,982	8	5	1,67,508	6	1
Of the Court of Session.	17,887	15	8	3,473	0	0	21,360	15	3	6,595	5	3	1,137	14	0	2,539	18	9	10,213	1	0
Grand Total ...	1,31,642	2	5	1,51,966	11	5	2,83,608	13	10	1,32,653	7	5	11,605	9	6	33,522	6	2	1,77,721	7	1

MENT No. IV.

the Central Provinces for the year 1873.

| | B.—CASH. | | |

Duration Statement of the Districts of the Central

District.	A. POLICE CASES.												
	No. of Cases.												
	Detail according to their duration.										Total number of cases.	Total number of days.	Average duration in days and tenths of days of each case
	1 day.	2 days.	3 days.	4 days.	5 to 7 days.	8 to 10 days.	11 to 15 days.	16 to 20 days.	21 to 30 days.	Above 30 days.			
1	2										3	4	5
Nagpur ...	1,039	164	77	65	77	34	23	16	7	5	1,507	3,649	2·4
Chanda ..	442	39	21	9	25	20	12	7	5	7	587	1,634	2·8
Bhandara ...	373	61	36	15	36	16	7	6	1	1	552	1,231	2·2
Wardha ...	401	85	22	13	20	20	11	8	4	5	589	2,277	2·5
Balaghat ...	276	49	24	7	19	7	9	6	2	2	401	989	2·5
Jabalpur ...	1,471	161	68	44	66	27	16	7	4	14	1,878	4,408	2·2
Sagar ...	1,162	154	66	59	66	29	20	7	6	8	1,577	3,495	2·2
Damoh ...	270	52	36	9	32	14	8	4	8	6	439	1,453	3·3
Seoni ...	570	41	27	10	23	18	16	2	2	1	710	1,383	1·9
Mandla ...	333	14	7	5	13	8	12	5	3	1	401	907	2·2
Hoshangabad ...	732	163	54	44	40	28	24	11	8	4	1,108	2,797	2·5
Betul ...	453	47	21	21	22	12	2	...	2	1	581	1,043	1·8
Narsinghpur ...	929	55	24	9	24	14	17	3	1	3	1,079	1,811	1·6
Nimar ...	589	65	38	23	25	7	6	...	2	3	758	1,394	1·8
Chhindwara ..	363	55	17	10	24	11	11	8	3	3	505	1,313	2·6
Raipur ...	845	135	72	34	68	45	50	39	21	13	1,322	4,279	3·2
Sambalpur ...	439	11	12	1	12	6	3	1	2	1	488	753	1·5
Bilaspur ...	379	123	30	22	31	37	23	15	4	1	665	2,027	3·0
Upper Godavari ...	78	7	3	3	6	3	3	4	1	14	122	1,715	14·
Total ... 1873...	11144	1,481	655	403	629	356	273	149	86	93	15,269	38,558	2·5
Total ... 1872...	10,717	1,527	687	369	646	347	263	110	91	85	14,845	35,821	2·4

MENT No. V.

Provinces, for the year 1873.

B. CASES ON COMPLAINT.											
No. of Cases.											REMARKS.
Detail according to their duration.								Total number of cases (plus Col 3 corresponding with Col. 8, Stt. 11.)	Total duration in days.	Average duration (in days) of each case.	
1 to 4 days.	5 to 7 days.	8 to 10 days.	11 to 15 days.	16 to 20 days.	21 to 30 days.	31 to 45 days.	Above 45 days.				
6								7	8	9	10
507	578	427	256	105	63	23	9	1,968	16,157	8·0	
183	131	100	86	33	18	8	5	564	4,917	9·0	
152	215	193	117	40	15	2	...	734	6,049	8·0	
177	260	180	147	65	56	11	3	899	8,205	9·0	
48	100	88	51	17	10	1	2	317	2,731	9·0	
412	384	281	188	83	55	19	7	1,431	11,961	8·0	
384	385	236	149	70	44	14	4	1,286	10,421	8·0	
87	83	72	65	22	14	7	10	360	3,551	10·0	
306	197	121	128	45	41	11	6	855	7,151	8·0	
29	31	21	16	9	11	7	1	125	1,374	10·0	
214	380	275	213	131	127	82	22	1,444	18,099	12·0	
36	49	102	137	59	26	1	1	411	4,763	12·0	
96	113	128	213	153	107	30	4	844	11,220	13·0	
231	213	139	73	28	14	10	4	712	5,245	7·0	
65	81	84	81	52	28	6	5	402	4,409	11·0	
163	176	169	154	73	79	61	42	917	12,633	14·0	
25	58	41	39	25	12	6	4	210	2,529	12·0	
64	67	90	101	57	52	25	11	467	6,472	14·0	
118	14	10	13	6	10	3	11	185	2,143	11·0	
3,297	3,515	2,757	2,227	1,075	782	327	151	14,131	1,40,033	10·0	
3,736	3,477	2,462	1,765	819	643	185	80	13,167	1,18,730	9·0	

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CRIMINAL STATEMENT No. VI.

Witness Statement of the Districts of the Central Provinces for the year 1873.

Districts.	Number of witnesses discharged after											Amount paid by Magistrates on the part of Government as expenses of complainants or witnesses.		
	1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 to 10 days.	11 to 15 days.	16 days and upwards.	Total number of witnesses.			
1	2	3	4	5	6	7	8	9	10	11	12	13		
												Rs.	A.	P.
Nagpur ...	11,450	1,161	273	39	11	2	1	3	...	...	12,940	39	2	0
Chanda ...	3,939	300	118	49	7	4	5	2	8	8	4,440	766	2	0
Bhandara ..	4,141	271	77	13	...	...	...	...	...	..	4,502	210	0	0
Wardha ...	4,845	429	92	18	...	6	...	...	...	...	5,390	58	13	0
Balaghat ...	2,025	233	77	24	10	28	6	10	..	..	2,413	157	2	0
Jabalpur ..	8,445	769	230	104	28	14	5	...	...	...	9,595	92	4	0
Sagar ...	9,228	868	188	131	7	2	...	...	...	...	10,424	10	11	3
Damoh ..	2,732	210	75	12	11	...	6	...	...	...	3,046	15	3	0
Seoni ...	4,501	159	48	3	16	...	4	...	...	...	4,731	57	13	0
Mandla ...	2,618	39	14	7	7	...	...	...	...	...	2,685	15	1	6
Hoshangabad ...	7,307	516	101	19	4	...	...	13	...	...	7,960	49	6	0
Betul ...	3,696	293	70	22	...	..	..	..	...	...	4,081	40	5	6
Nimar ...	4,363	479	169	74	3	...	...	..	...	..	5,088	170	1	0
Narsinghpur ...	7,655	181	11	5	...	...	...	..	...	...	7,852	92	12	0
Chhindwara ...	3,194	189	49	6	...	...	...	...	...	4	3,442	22	8	0
Raipur	8,005	709	211	60	14	...	2	2	...	...	9,003	72	11	0
Sambalpur ...	2,291	66	11	..	...	...	...	...	...	...	2,368	15	2	0
Bilaspur ...	4,306	494	107	13	...	...	...	...	...	...	4,920	77	5	0
Upper Godavari ...	1,102	51	14	2	4	..	..	11	...	...	1,184	245	2	0
Total ... 1873	95,843	7,417	1,935	601	122	56	29	41	8	12	1,06,064	2,207	8	3
Total ... 1872	83,374	6,109	1,522	448	104	68	35	28	22	1	92,111	2,613	2	9

CRIMINAL STATEMENT No. VII.

Appeal statement of the Districts the of Central Provinces for the year 1873.

Appellate Courts.	Persons.													Cases disposed of.		
	For disposal.			Disposed of.								Remaining.				
	Remaining from last year.	Appealed during present year.	Total	Appeals rejected (Section 278 C. Cr. P.)	Sentence confirmed.	Sentences altered. Reduced.	Sentences altered. Enhanced, or in (appeals from acquittals) passed.	Sentences reversed.	Proceedings quashed (i. e. annulled, S. 284, C. Cr. P.)	Total disposed of.	Number of persons of Col. 11 in respect of whom further inquiry or evidence was ordered.	Total.	More than one month.	Total.	Total duration in days.	Average duration.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Sadar Court ...	1	140	141	9	90	13	1	19	...	132	2	9	9	77	2,849	37·0
Sessions Court.																
Nagpur Division...	8	125	133	53	27	18	4	31	...	133	4	...	...	113	2,099	18·5
Jabalpur do. ..	2	178	180	43	92	12	3	23	...	173	25	7	3	136	2,660	22·7
Narbada do. ...	4	291	295	13	181	28	5	44	...	271	...	24	3	184	4,826	26·2
Chhattisgarh do ...	3	69	72	3	50	3	1	14	...	71	3	1	1	65	2,216	34·1
Magistrates of Districts.																
Nagpur ...	...	51	51	1	34	4	3	9	...	51	...	..	...	40	383	9·6
Chanda ...	1	25	26	8	4	4	3	7	...	26	9	...	...	24	314	13·1
Bhandara ...	...	8	8	..	4	1	...	3	..	8	...	...	...	7	76	10·8
Wardha ...	10	68	78	...	62	4	1	11	...	78	2	..	...	78	637	8·1
Balaghat ..	...	8	8	...	3	2	...	3	...	8	..	...	...	7	78	11·1
Jabalpur ...	...	220	220	8	120	41	3	47	..	219	1	1	...	123	1,166	9·4
Sagar ...	...	162	162	3	116	13	4	26	...	162	...	...	...	89	546	6·1
Damoh ...	...	57	57	...	37	6	1	12	...	56	1	1	...	38	143	3·7
Seoni ..	...	58	58	...	26	6	3	23	...	58	...	...	...	39	258	6·6
Mandla ..	...	6	6	1	1	2	...	2	...	6	...	..	..	6	26	4·3
Hoshangabad ...	...	148	148	18	46	14	3	61	..	142	...	6	...	81	581	7·2
Betul ...	...	93	93	..	47	27	...	15	..	89	2	4	...	64	325	5·1
Narsinghpur ...	...	131	131	...	68	7	14	38	...	127	1	4	...	79	876	11·0
Nimar ...	...	36	36	..	27	2	3	4	..	36	...	..	...	31	102	3·2
Chhindwara ...	...	26	26	2	9	1	7	7	...	26	...	...	...	25	98	3·9
Raipur ...	...	50	50	...	26	7	1	16	...	50	..	...	...	38	442	11·6
Sambalpur ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Bilaspur ..	...	75	75	..	23	17	...	36	...	75	..	...	...	35	123	3·5
Upper Godavari ...	...	12	12	1	6	2	1	1	...	11	...	1	...	11	190	17·2
Total ... 1873	29	2,037	2,066	163	1,098	234	61	452	...	2,008	50	58	16	1,390	21,014	15·1
Total ... 1872	17	1,991	2,008	182	1,015	254		512	6	*1,977	39	31	1	...	...	...

*Includes 8 persons whose cases were referred for revision to High Court.

REPORT

ON THE

Judicial Administration

(Criminal)

OF THE

CENTRAL PROVINCES,

FOR

THE YEAR 1875.

NAGPUR:

PRINTED AT THE CHIEF COMMISSIONER'S OFFICE PRESS.

1876.

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No. $\frac{1526}{46}$

FROM

J. W. NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces,

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 4th May 1875.

SIR,

I am directed to acknowledge the receipt of the Judicial Commissioner's report on the administration of Criminal Justice in the year that is past, and am now to communicate the Chief Commissioner's remarks on the more noticeable features of the subject reported on.

2. The amount of crime reported during the year was less than in 1873. In that year the total number of offences was 44,801, in 1874 the number is only 40,654. In his review of the Police report, the Chief Commissioner has remarked on the main cause of the decrease of crime, namely the excellence of the harvests; but at the same time he attributed some part of the result to the exertions of the police, and to the action of the Magistrates in punishing more adequately old and confirmed criminals. Add to these greater care on the part of Magistrates in listening to complaints of petty assaults and alleged insults, and these causes will sufficiently account for the decrease of 1,300 offences under the head of minor offences against the person, of 1,000 offences under the head of offences against property with violence, and of 1,500 offences under the head of offences against property without violence.

3. The only considerable decrease under any head besides those mentioned above, is a decrease of 617 cases of public nuisances. Except in Nagpur, Damoh, Betul and Bilaspur, the decrease in prosecutions for nuisances was general, and it seems not unfair to attribute it to the fruit which past prosecutions have borne. If in any town or place sanitary rules are rigidly enforced for a time and disobedience systematically punished, the necessity for punishment will disappear and custom will continue what the law originally enforced. The Chief Commissioner would then now again enjoin caution in the matter of prosecutions for public nuisances, and would lay stress on the necessity of systematic and continued action if any good is to be done by prosecutions. Spasmodic action is worse than absolute quiescence.

4. The Judicial Commissioner has quoted very largely from the reports of Commissioners and Deputy Commissioners on the subject of the state of crime, and chiefly of cognizable crime; but the extracts do not throw very much light on the subject, and almost all that is valuable has been summarized by the Judicial Commissioner in a few lines at the beginning of the 10th paragraph of the

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report, and here it may be noticed that the length of the extracts from the reports of Commissioners and Deputy Commissioners has of late years enormously increased, until they have absorbed a more than legitimate share of the Judicial reports. Formerly the Judicial Commissioner formed and recorded his own opinion on the materials furnished to him, and only quoted from the reports made to him when the intrinsic value of remarks seemed to justify it, or when it might be desirable to let an officer speak for himself. Now nearly every report is laid under contribution and every officer has his say. The new plan has doubtless advantages of its own, but as all the reports of Commissioners and Deputy Commissioners are sent to him, and he can refer to them if he pleases, the Chief Commissioner must confess to a preference for the old practice.

Vagrants.—Bad habit and repute.

5. In the Judicial report, as well as in the Police report, the prosecuting of vagrants and persons of bad habit and repute is referred to at considerable length. There seems to be a variety of opinion regarding the provisions of the law relating to this matter. Some officers look upon the power to arrest vagrants and persons of notoriously bad livelihood, and obtain from them security for their good behaviour, or else make sure of them by locking them up as the cornerstone of good police administration; others appear to have a morbid dread of this interference with the liberty of the subject, and to regard the exercise of these legal powers with fear and suspicion. Thus while one Commissioner complains that "the provisions of Sections 504 and 505 of the Procedure Code have been little used," another confesses that he has always a "certain amount of misgiving" when he hears of particular activity having been shown in this matter. In this, as in so many cases, it is probable that *in medio tutissimi* will be found a true saying. The circular on the subject of such prosecutions issued by the Judicial Commissioner during the year and quoted in full in the report is sufficient to prevent any abuse of the law, and it is for Deputy Commissioners to determine to what extent they will use it. This weapon against evil doers was not given them that it might rust, nor yet was it given them to be used against persons other than those clearly marked out. For his own part the Chief Commissioner has no fear that Deputy Commissioners will either outstep the law or allow it to become a dead letter. He commends also to the notice of all Deputy Commissioners the remarks on the subject of the prosecution of bad characters quoted by the Judicial Commissioner from the last Panjab Criminal Report. There is nothing to prevent Deputy Commissioners and Assistant Commissioners in these Provinces from taking up these cases when on tour in the interior of their districts, and the Chief Commissioner would like to impress on all officers the great advantage of obtaining security from these bad characters to locking them up. Their great object should be to obtain security.

Over-reporting crime

6. In paragraph 11 the Judicial Commissioner has some remarks on the over-reporting of crime, and thinks the report of the Deputy Commissioner of Sambalpur confirms in some degree the fact that there is a tendency on the part of the police in some places to prosecute unnecessarily trifling offences which are over-reported. The Chief Commissioner can on the general view of the matter only point out once more what he pointed out last year, that there is no necessary connection between the reporting of crime and the investigation of crime. If we want all crime to be reported, we cannot fix a standard and say everything more serious than this shall be reported, everything less serious may be left unreported; what we can say, and what has been said is, that the police need not enquire into trifling offences unless particularly requested to do so. If the police make themselves officious, they can be checked; if they are difficult to move, they can be spurred on. It is for the district head of the police to see that his men understand their duty and are neither

slothful nor yet over-zealous, neither too careful of their own ease nor yet too careless of the ease of others. Grant this, and the reporting of even the most trifling criminal occurrence—the theft of a mango, of a handful of rice—would injure no one and inconvenience no one except the person reporting it. The Chief Commissioner does not mean to say that he would be continuously urging villagers to report every trifling occurrence that can be construed into a criminal act, but he would have them know that all offences are to be reported, and if they then of themselves report these trivial occurrences, no matter, they will do so because they consider them offences; if they did not, they would not report them. The above is the only rule that the Chief Commissioner thinks can be laid down. But to pass from the general consideration to the special case of Sambalpur. The Chief Commissioner does not know that he can look upon the Deputy Commissioner's remarks as showing that in Sambalpur there is any over-reporting compared with other districts. The Deputy Commissioner made his remarks *à propos* of an increase in the number of cases of house-breaking and theft, and he attributed the increase to the dearness of food, and secondly to the fact of more reports of trivial cases having been made. Now it is extremely probable that both these causes were at work, but it has to be remembered that it had been suggested that reporting in Sambalpur was not so complete as in other districts, as for instance with Chanda, as the Chief Commissioner said on a former occasion. Now the Deputy Commissioner says the people have come to believe they must report every incident that "bears any semblance to a crime." In doing that they do wrong, and the Deputy Commissioner might inform them accordingly; but if the "incident" is an offence however trivial, the people do right to report. The Deputy Commissioner adds however that he struck 103 cases off the register, compared with 54 in the year before. If these cases did not happen, were in fact false cases, he was undoubtedly right; but that would prove not that the people report trivial offences, but they report things which are not; and from the whole tenor of the Deputy Commissioner's remarks it may be doubted whether the cases he struck off were not the most trivial of the trivial cases he had been referring to.

7. Then again the Deputy Commissioner exonerates the police for taking up trivial cases, although there were distinct orders to the contrary. But in doing so they were certainly blameworthy, and he must check their zeal. Still there are indications that this over-zealousness has not permeated the whole of the police in Sambalpur, for in another part of his report the Deputy Commissioner mentions the case of a head constable who shirked his work by making false entries of offences, recording that no assistance was asked for from him, while the contrary was in several cases subsequently proved against him. No—all that the case of Sambalpur seems to the Chief Commissioner to prove is that when once the question of efficient reporting is discussed in a district, there is more care bestowed on the matter, and gradually one by one the reporting in districts is becoming like what it was described to be in Chanda a couple of years ago. A man goes to market with a cart-load of brinjals, one falls by the way as he passes through a village and is seized by an idle boy. The case is returned as a theft. This may be ridiculous, but we know where we are; but if we fix a minimum of importance for offences that are to be reported what may we expect?

Magistrates.

8. The number of Stipendiary Magistrates was 66 1st class Magistrates, 42 2nd class, and 16 3rd class. Of Honorary Magistrates there were 8 belonging to the 1st class, 32 to the 2nd, and 40 to the 3rd.

The Chief Commissioner recognizes the advantage it would be to have more Honorary Magistrates, particularly in the interior of districts, but at the same time

he would not like to see the Magisterial work in the interior of districts entirely or even for the most part in the hands of Honorary Magistrates. There is no immediate likelihood however of anything of the kind speedily coming to pass. The number of qualified native gentlemen in the interior of districts is not so numerous as might be wished, and the Chief Commissioner must confess he would rather see a little hesitation than undue precipitation on the part of Deputy Commissioners and Commissioners in recommending native gentlemen for Magisterial powers. It is true that at present prosecutors and witnesses are inconvenienced by having to go to distant courts, and the time of the police is taken up in guarding and escorting prisoners, but under any circumstances a very considerable proportion of criminals would have to be tried before Stipendiary Magistrates, more especially those who are guilty of offences against property, for in dealing with such cases Honorary Magistrates are rarely so good as Stipendiary Magistrates. Having said this, however, the Chief Commissioner cordially acknowledges the value of the work performed by Honorary Magistrates. They are most useful in hearing and determining petty disputes, cases of assault, insult, defamation, and similar matters, and they are well deserving of the thanks of the Administration.

Power to try summarily

9. The Chief Commissioner is glad to learn that the power to try summarily has been exercised judiciously by the officers on whom it has been conferred, and that the Judicial Commissioner is convinced of the value of this summary procedure. There can be no doubt, the Chief Commissioner thinks, that it saves much valuable time, and enables an officer to get through a great deal more work than he could were he to be fettered by the ordinary rules of procedure, and as long as the power is conferred only on experienced and trustworthy officers of a certain status it will doubtless prove a most useful aid to a good criminal administration.

Lock-ups.

10. The Chief Commissioner is aware that there is a want of lock-ups for under-trial prisoners at some station-houses and also at some places where there are Magistrates. Such wants can only gradually be supplied, but with reference to the want of a lock-up at Sambalpur I am to say that the Chief Commissioner thinks there can be no great need for it, so long as there is ample accommodation for under-trial prisoners in the gaol. It has already been decided that when under-trial prisoners can be conveniently kept in a gaol, a separate lock-up is in no way required.

Distribution of work.

11. The table given in paragraph 28 of the Judicial Commissioner's report shows that 43,595 accused persons came before the Magistrates,

		Per cent.
Before Deputy Commissioners	3,429	7·9
„ Cantonment Magistrates, Assistant and Extra Assistant Commissioners at head quarters.	11,509	26·4
„ Tahsildars at head quarters.	3,791	8·7
„ Honorary Magistrates at head quarters ...	5,620	12·9
„ Stipendiary Magistrates in interior of districts	10,067	23·1
„ Honorary Magistrates in interior of districts	9,179	21·

Thus Honorary Magistrates performed 33·9 per cent of all the Magisterial work, and Stipendiary Magistrates 66·1.

Mr. Morris quite agrees with the Judicial Commissioner in wishing to see Deputy Commissioners take up and dispose of more Magisterial work. The sum-

mary powers they have make it easy for them to try such cases—and as a relief to other Magistrates—as giving them a greater insight into the ordinary crime prevalent in their districts—and as affording them an opportunity of showing an example of the way in which punishments should be apportioned to offences—their disposing of such cases would be attended with great advantage. The Chief Commissioner will hope to see next year that Deputy Commissioners have taken this advice to heart.

12. The amount of work performed by Honorary Magistrates was, it has already been seen, very considerable. Amongst those who have done most may be mentioned :—

Raja Suleman Shah.
Abirchand Rao Bahadur.
Yadho Rao of Bhandara.
Sundar Narrayan of Hinganghat.
Rajaram Tiwari of Raipur.
J. Watts, Esq. of Jubbulpore.
Thakur Bhopal Singh of Piparia.
Lachman Rao of Saugor.
Babu Balwant Rao, do.
Thakur Cheyt Singh of Bilkhera.
G. Ramiah, Rao Bahadur.

To these gentlemen the Chief Commissioner will specially convey his acknowledgments.

Results of trial

13. The results of trials are summarized as follows. Of 43,843 persons under inquiry or trial, 15,199 were acquitted or discharged and 28,260 convicted, 184 died, escaped or were transferred, and 200 remained under trial.

Punishments.

14. The next point which calls for attention is the punishments inflicted on offenders by the various courts, and there is no more important matter than this in the whole of criminal administration. We may have the best courts in the world, the best police, the best machinery for proving men guilty of offences, but all that is nothing unless persons proved to be malefactors are adequately punished. If it be true, and the Chief Commissioner is in no way disposed to deny it, that punishments severer than is necessary are unjustifiable ; it is no less true that punishments that do not deter a criminal from the commission of offences in future, or prevent him from so doing by placing it out of his power, are equally unjustifiable, because they are entirely ineffective So far as statistics are a criterion, can it be said that the punishments inflicted by our courts are appropriate. The punishments were as follows :—

17,369 persons were fined only.
20 were fined and whipped.
5,195 were imprisoned only.
1,878 were imprisoned and fined.
453 were imprisoned and whipped.
2,545 were whipped only.
19 persons were transported for life.
28 were sentenced to death.

Thus 63 per cent of all convicts were sentenced to a mere fine, 9·3 per cent were only whipped, and 27·4 per cent were sent to jail.

The proportions are very nearly the same as in the preceding year, and the Chief Commissioner cannot help thinking that, as a rule, an undue leniency is shown by our courts to criminals. When it is seen that for the offences of counterfeiting and passing coin and stamps, personating public servants, fabricating false

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evidence, forgery, culpable homicide, rape, dacoity, robbery, extortion, house-breaking, theft, cattle theft, dishonest receipt of stolen property, dishonest misappropriation of property, criminal breach of trust, and criminal house-trespass—all offences for which imprisonment would ordinarily be a most appropriate punishment—more than 10,000 persons were convicted ; while many persons convicted of assault, hurt, rioting, cheating and breaches of special laws, must have deserved imprisonment ; the number of persons actually sent to prison, 7,526, seems unduly small ; and even if those whipped be added (seeing that whipping sometimes takes the place of imprisonment for a first offence) the number punished seems small, compared with the numbers convicted of crimes deserving severe punishment.

15. Fine is still the favourite punishment to an excessive extent, and excellent as it is as an additional punishment, and appropriate in certain cases as a sole one, it is not an appropriate punishment when inflicted generally and promiscuously for all offences. It is useless, for instance, to punish with a fine offences against property, and yet these constitute a very large proportion of the sum total of crime. The districts which show worst in the undue resort to fine as a punishment, are Nagpur, Wardha and Hoshangabad. In the two former districts the preference said to be shown by Honorary Magistrates for this mode of punishment may afford some explanation of the result, but it will be the duty of the Deputy Commissioners to convince the Honorary Magistrates of their mistake in using the punishment of fine exclusively ; and if these gentlemen are not to be convinced, then the only plan would be to see that only such classes of cases come before them as would ordinarily be punishable with fine,

16. The Chief Commissioner would also be glad to see a combination of punishments more frequently used by the courts. Take, for instance, the number of persons whipped in addition to imprisonment. It is only 453, and yet it is impossible not to think that whipping in addition to imprisonment would be a most appropriate punishment in a numerous class of cases.

Solitary confinement.

17. The Judicial Commissioner's remarks on solitary confinement again show that the courts do not make use of some of the most effective punishments within their reach. Solitary confinement is admittedly most efficacious in dealing with criminals, and it is to be hoped that the frequent references that have been made to it will at length prove effectual.

Compensation for frivolous and vexatious complaints.

18. It is a satisfactory feature to find that compensation for frivolous and vexatious complaints is year by year being more frequently awarded. In 1873 it was awarded in 629 instances, in 1874 in 792. There is room for still further improvement, but it may be thought that even already the effect of granting compensation in such cases has had the effect of keeping many trivial complaints from being brought before the Magistrates.

Degrees of fines

19. The average of fines imposed by the courts is shown by the Judicial Commissioner in paragraph 62. Of persons fined—

77·1	per cent were fined		Rs. 5 and under,	
17·9	„	„	from „	5 to 20.
4·2	„	„	from „	20 to 50,
·8	„	„	above „	50,

Judging from these statistics only, and not knowing the classes of offences, and the proportion they bear to each other, which have been punished with fine,

the Chief Commissioner would express his opinion that the courts have shown discretion in pitching their fines, and this is in a measure corroborated by the fact that 92 per cent of the fines imposed were realized.

Whipping.

20. It cannot be said that the punishment of whipping is, on the whole, much fancied in these Provinces, and when it is inflicted it is inflicted in a mild form.

The maximum number of stripes which the law permits is 30.

In 23·9 per cent of all cases less than 10 stripes were given.
In 52·5 from 11 to 20
In 23·6 from 20 to 30.

These statistics show some improvement over last year's, but the Chief Commissioner is still of opinion that if whipping is to be resorted to at all as a punishment, it is necessary that the punishment should be severe of its kind, and he thinks that the proportion of cases in which less than 30 stripes were given is still too large.

In the districts of the Nagpur Division, except Balaghat, the proportion of persons punished with less than 10 stripes is far too great, and the same may be said of the districts of Mandla, Hoshangabad, Narsinghpur, Chhindwara, Raipur and Sambalpur.

The Commissioner of Jubbulpore expresses himself dissatisfied with the way in which whipping is awarded as a punishment in his Division, and it is impossible not to agree with him.

Degrees of imprisonment.

21. It has already been remarked by the Chief Commissioner that comparatively few convicts are sent to gaol. It might therefore be expected that only those deserving of exceptional punishment would be sent to prison, but that they would be detained there for considerable periods. The statement in paragraph 67 shows, however, that of persons imprisoned—

17·2 per cent were imprisoned for a period not exceeding 15 days,
33·8 „ for more than 15 days, but less than 2 months.
32·5 „ for more than 2, but less than 6 months.
14·2 „ for more than 6 months, but less than 2 years.
2·1 „ for more than 2 years, but less than 7.

The Chief Commissioner is unable to express his satisfaction with these figures. The number of persons sentenced to very short terms of imprisonment seems to him far too large. He believes such short terms of imprisonment are altogether useless,—they serve neither to reform the criminal nor yet to deter him from the commission of fresh offences; much better not imprison the criminal at all.

The districts that show worst in this matter, are Wardha, Bhandara, the Upper Godavari, Hoshangabad, Narsinghpur, Sambalpur; but some of the other districts approach them closely. The Chief Commissioner would ask the Magistrates of those districts to consider what good they expect from the short sentences they give, what results can they anticipate from a fortnight's incarceration. If they would only reflect that the object in imprisoning a man is to keep him out of harm's way, to prevent him from living on his neighbours or injuring them, and

that to ensure this it is found necessary to lock him up until he has acquired some self-control and learnt to maintain himself by his own industry, they would see at once that evil habits cannot be at once cast aside, and that years of training and discipline are required to effect the change, which it is idle to expect to see wrought out by sending a criminal to spend a fortnight in a lock-up.

22. Altogether the standard which Magistrates appear to have set up for themselves in the determination of periods of imprisonment appears to the Chief Commissioner far too low. He is referring of course to the imprisonment awarded to confirmed criminals, to those who have been found out in crime more than once. The class is a numerous one, and must make up the great bulk of those who are sent to gaol in these Provinces.

23. The Chief Commissioner is glad to see the Commissioner of Jubbulpore taking up this matter and pointing out to his officers that in his Division "the "terrors of the law are not properly put in force against the really criminal "classes of the country, *i. e.*, the offenders against property." He has also some remarks, which are quoted by the Judicial Commissioner, regarding the inadequacy of certain sentences passed on criminals who had previously been convicted, and cites cases in point. The Judicial Commissioner partially concurs with the Commissioner, but Mr. Morris regrets that the Judicial Commissioner's opinion appears to be not entirely in accordance with his own, as already expressed on this subject of punishments. Mr. Morris thinks that Magistrates have set up for themselves a false standard of punishments, and that there is a habitual tendency to err on the side of leniency. For one thing the Chief Commissioner believes that the average term of imprisonment is shorter in these provinces than in any other province in India. This might of itself not prove much, as it might be contended that circumstances were different, and to discuss that would lead one too far. But secondly, the Chief Commissioner's opinion has been formed from seeing references to punishments inflicted, and from such criminal cases and proceedings as have from time to time come to his notice. In this report for instance, there is recorded at paragraph 15 the case of a head constable in Sambalpur who made false entries in his register, concealed crime, and refused to take up the enquiry into a case of theft in which his assistance was asked. Three cases were proved against him, and he was punished with five months' imprisonment and Rs. 25 fine. The punishment was, the Chief Commissioner thinks, much below the man's deserts. Again in paragraph 17 there is recorded the case of a head constable who extorted money from a man by threatening to put hand-cuffs on him. He was sentenced to 18 months' imprisonment and a fine of Rs. 25, a more adequate punishment than the former one, but by no means severe. Again the punishments awarded for passing off pice coloured with quicksilver reported in paragraph 36 do not seem to the Chief Commissioner excessive, though in the Judicial Commissioner's opinion they err on the side of severity. These are the only cases quoted in the report.

24. Of cases seen by the Chief Commissioner recently, he can recall two, in one of which one year's imprisonment was considered sufficient for the crime of forgery; while in the other, one month's imprisonment was made the penalty for fire raising. The only explanation the Chief Commissioner can suggest for this tendency to imprison offenders for short periods is, that imprisonment is resorted to in so few cases comparatively that there is an impression abroad that imprisonment *per se*, and no matter for how short a period, is a very grievous punishment, which is, however, far from the truth.

Witnesses.

25. The number of witnesses who appeared before the Magistrates' Courts was 98,110, a somewhat smaller number than in the preceding year, when the cases were more numerous. 896 witnesses attended before the Courts of Session.

As 91·7 per cent of the whole were not detained beyond a single day, 6 per cent were discharged on the second day, and only 2·3 per cent detained longer, it may be said that the criminal work was performed with fair despatch. In one or two districts mentioned by the Judicial Commissioner improvement may be looked for, but taking the courts as a whole the results are good.

Expenses of witnesses.

26. The Chief Commissioner is aware that there has been considerable variety of practice in paying the expenses of witnesses who came before the courts. Some Magistrates have ordered payment of the expenses of witnesses promiscuously, others have been exceedingly chary in the matter. The instructions which the Judicial Commissioner has issued will it is hoped produce greater uniformity and regularity of procedure, and insure claims to expenses being settled on the common sense view, that if a witness really suffers to an appreciable extent in pocket by having to leave his ordinary occupation in order to attend court and give evidence, he shall receive his expenses according to the authorized scale. If on the other hand, he has not incurred any loss, there is no reason to pay him for performing a duty which every citizen owes to the State.

Appeals.

27. The number of appeals is very small compared with the number of cases.

1,112 appeals to Magistrates of districts, 654 to Courts of Session, and 102 to the Judicial Commissioner were all. In the case of appeals to Magistrates of districts, 16·6 per cent of the original sentences were altered, and 30·2 per cent reversed. In the case of Sessions Judges the percentage of sentences altered was 16·6, and of sentences reversed 18·6, and in the case of the Judicial Commissioner the percentages were 10 and 25.

As the appeals are comparatively so few, it might be dangerous to draw deductions from the statistics of reversals.

Durations.

28. The average duration of cases was 2·2 days in the police cases, and 10 days in cases on complaint. In some courts a little more expedition might be shown with advantage, but the general result is distinctly favourable.

The duration of Sessions cases ranged from 70 days in the Narbada Division to 51 in the Jubbulpore Division. There seems to be no good reason why the Narbada Division should not approximate more closely to the Jubbulpore Division in this matter, since after the Narbada Division the highest average duration was only 57 in Chhattisgarah.

29. In concluding this review of the more important points of the Criminal administration, Mr. Morris again tenders his thanks to the Judicial Commissioner for his careful supervision of the courts, and for his unceasing attention to everything bearing on the administration of Criminal Justice.

I have the honor to be,

Sir

Your most obedient Servant,

J. W. NEILL,

Offg. Secretary.

Index to the Report on the Administration of Criminal Justice, in the Central Provinces, for the year 1874.

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No. 374.

FROM

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

Dated Nagpur, the 10th March 1875.

SIR,

I have the honor to submit the report on the administration of Criminal Justice in these Provinces during the year 1874, together with the usual Statements.

B 1.—Tribunals.
B 2.—Offences and persons.
B 3.—II.—Trials.
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V.—Durations.
VI.—Witnesses.

Order of subjects.

2. The subject will be treated as usual under the following Sections :—

A.—The state of crime (Statement B 2.)

B.—The Tribunals (Statement B 1.)

C.—The distribution of business among the several classes of Courts, (Statement B 3.)

D.—The result of trial in the Courts of original jurisdiction, (Statements B 2 and II.)

E.—Punishments (Statements B 4, III. and IV.)

F.—Witnesses, (Statement VI.)

G.—Appeals, reference and revision (Statements B 5, and VII.)

H.—Duration of cases (Statements B 3 and V.)

A.—THE STATE OF CRIME.

Reported crime in the aggregate.

3. The reported crime of 1873 and 1874 is exhibited in the following comparative table according to the main head classification of Statement B 2.

Reported

Districts.	Year.	Class I. Offences against the state.	Offences relating to coin, stamps, weights and measures.	Offences against Public justice.	Offences by public servants.	False evidence, false complaint or claim and forgery.	Public nuisances.	Offences relating to the public peace.
Nagpur	1873	...	27	41	9	4	235	14
	1874	...	14	37	9	48	457	44
Chanda	1873	2	18	42	8	10	191	4
	1874	...	11	23	5	8	150	9
Bhandara	1873	...	2	27	4	4	69	2
	1874	...	1	23	1	7	65	3
Wardha	1873	...	5	20	12	2	162	8
	1874	...	7	28	3	3	123	14
Balaghat	1873	...	8	18	4	3	43	8
	1874	...	3	22	6	1	19	12
Jubbulpore	1873	...	20	52	13	7	956	45
	1874	...	16	48	10	17	503	35
Saugor	1873	...	32	62	4	2	420	38
	1874	...	28	120	...	10	391	21
Damoh	1873	..	3	18	3	4	23	4
	1874	...	...	23	3	1	73	12
Seoni	1873	...	9	28	5	11	26	5
	1874	...	7	35	2	4	29	4
Mandla	1873	...	6	12	2	...	2	1
	1874	..	...	15	3	1	...	...
Hoshangabad	1873	...	22	62	15	19	254	44
	1874	...	9	88	14	12	140	29
Betul	1873	...	8	32	6	2	60	11
	1874	...	5	40	4	4	119	12
Narsinghpur	1873	...	8	39	7	15	167	17
	1874	...	12	36	4	5	80	5
Chhindwara	1873	...	8	44	4	27	89	10
	1874	...	1	49	1	5	52	7
Nimar	1873	...	22	60	6	6	265	12
	1874	...	22	44	5	7	185	21
Raipur	1873	...	14	52	13	9	186	28
	1874	...	7	64	10	2	138	12
Sambalpur	1873	...	...	9	1	1	4	6
	1874	...	...	9	1	2	6	8
Bilaspur	1873	...	3	42	5	2	40	8
	1874	...	4	42	4	22	59	9
Upper Godavari ...	1873	...	13	5	2	2	24	3
	1874	...	1	21	3	6	12	3
Total ...	1873	2	228	665	123	130	3,218	268
	1874	...	148	767	88	165	2,601	260

offences

Class II.		Class III.			Class IV.		Total.		
Offences against the person (serious.)	Minor offences against the person.	Offences against property with violence.	Offences against property without violence.	Malicious offences.	Special offences against the Criminal Code in the above classes.	Other offences against special laws.	Number of offences.	Year.	DISTRICTS.
115	1 487	484	1,554	148	62	136	4,316	1873	Nagpur ...
164	1,492	402	1,202	166	136	170	4,341	1874	
48	204	316	949	93	5	59	1,949	1873	Chanda ...
66	259	297	916	99	4	59	1,916	1874	
44	569	585	652	70	10	40	2,078	1873	Bhandara ...
75	487	389	621	72	8	36	1,788	1874	
54	622	246	572	121	17	37	1,878	1873	Wardha ...
54	652	215	517	95	45	88	1,844	1874	
49	276	327	603	40	14	61	1,454	1873	Balaghat ...
39	239	421	696	50	12	53	1,573	1874	
165	1,042	678	1,329	235	77	282	4,901	1873	Jubbulpore ...
139	912	781	1,503	170	85	186	4,391	1874	
74	720	1,056	1,120	97	16	278	3,919	1873	Saugor ...
81	762	781	961	114	19	324	3,612	1874	
45	214	405	546	18	40	34	1,359	1873	Damoh ...
34	152	271	417	9	17	119	1,131	1874	
53	696	471	833	32	66	114	2,349	1873	Seoni ...
50	338	305	730	61	136	103	1,804	1874	
22	112	383	550	32	11	93	1,226	1873	Mandla ...
20	95	437	588	46	21	34	1,260	1874	
93	1,099	892	1,765	123	60	196	4,644	1873	Hoshangabad ...
127	920	757	1,278	101	44	251	3,780	1874	
48	288	421	682	46	18	142	1,764	1873	Betul ...
94	277	389	671	75	52	209	1,911	1874	
96	624	441	1,075	110	71	142	2,812	1873	Narsinghpur ...
114	421	304	942	89	22	105	2,139	1874	
44	252	240	647	38	17	53	1,473	1873	Chhindwara ...
52	258	226	328	28	8	42	1,057	1874	
45	359	914	719	52	54	108	2,022	1873	Nimar ...
41	219	262	667	63	38	128	1,702	1874	
123	523	364	1,246	122	69	222	2,971	1873	Raipur ..
113	431	330	1,313	84	85	165	2,754	1874	
23	170	123	630	23	7	163	1,160	1873	Sambalpur ...
19	142	130	783	27	11	93	1,231	1874	
61	271	659	893	64	4	42	2,094	1873	Bilaspur ..
63	237	684	819	75	8	71	2,097	1874	
19	126	15	133	23	1	64	432	1873	Upper Godavari. ...
14	86	14	76	18	1	51	309	1874	
1,221	9,654	8,420	16,500	1,487	619	2,266	*41,801	1873	Total ...
1,319	8,389	7,405	15,028	1,142	752	2,290	40,654	1874	

* Corrected total for 1873.

4. The table exhibits a decrease of 4,147 offences reported equal to 9·2 per cent as compared with the number of offences reported during 1873.

Decrease in reported offences.

5. There was a decrease of 617 Public Nuisances, 1,265 minor offences against the person, 1,015 offences against property with violence, and 1,472 offences against property without violence.

Decrease in certain classes of offences.

6. In Public Nuisances the Jubbulpore District shows the largest fluctuation, viz. a decrease of 48 per cent on which the Deputy Commissioner writes :—

Decrease in Public Nuisances.

(*Para* 2.)—" There is nothing on record as to the reason for this very great decrease in public nuisances. The Sanitary Officers do not appear to be of opinion that good conservancy has suffered through the decrease in prosecutions, and if this is the case there can be little doubt, but that the falling off is an advantage for unless very carefully watched wholesale prosecutions for public nuisances are too apt to be the result of private enmity so that there is danger of the act being utilized as an engine of oppression."

The decrease was evidently required. Even now the prosecutions are more frequent in the Jubbulpore than in other districts.

In Nagpur, the Deputy Commissioner admits that the increase is to some extent the result of injudicious prosecutions.

The Deputy Commissioner of Nimar too, notwithstanding the decrease in his district, writes of having had to issue special orders to the Police in connection with their rather arbitrary measures under Section 34, Act V. of 1861.

The Deputy Commissioner of Saugor on the other hand seems to regard the slight decrease in his district as unfavourable ; writing that,—

" When we remember that besides a large Cantonment there are five Municipalities to all of which Section 34 of Act V. of 1861, and Act XI. of 1873 have been extended and as at each of five outlying Municipalities there is an Honorary Magistrate and a Police Station-House the offenders are subject to the minimum of inconvenience."

The Judicial Commissioner, however, would judge the prosecutions in the Saugor District to have been not too few.

7. The Commissioner of the Jubbulpore Division after quoting the Deputy Commissioners of Saugor and Jubbulpore as above, notes that,—

" What is required is systematic action for a term of years in all Municipalities where public and private latrines are under regulation."

8. The decrease in minor offences against the person and offences against property has been general to most districts, the only upward fluctuations of importance occurred in offences against property in the Jubbulpore district and are specially commented on in the Inspector General of Police's Report.

Decrease in minor offences against the person, and of offences against property.

9. The following extracts from the local reports bear on the state of crime, with especial reference to cognizable offences.

State of crime with especial reference to cognizable offences.

Nagpur Division Report, paras 3, 10—29.

"*Nagpur* —Taken in the lump the total number of offences reported in 1874 is very nearly the same as in 1873, but dealing with each class of offence separately the following features are worthy of remark.

" 1*st under Class I* —The large increase under the head of False evidence and Forgery

" 2*nd under Class II* —The material increase under the head of offences against the person (serious)

" 3*rd under Class III* —The marked decrease under headings offences against property"

" 4*th under Class IV* —The increase in offences against the Indian Penal Code or Criminal Procedure Code not included in above"

Public nuisances " The great increase under this head is chiefly under the Police, Municipal and Cantonment Acts

"Altogether under these Acts 428 persons were prosecuted as compared with 217 in 1873 Colonel Smith, states that a want of judgment was shewn in instituting some of the prosecutions, but he does not say where or by whom this was shown or whether at Nagpur, or Kamthi or in the Mofussil

" Colonel Smith states that the year 1874, was generally speaking, a prosperous one, and that no special cause existed to produce any particular difference in the general crime of the district, but it appears to me that possibly plentiful harvests and the consequent low price of food grains may have had something to do with the marked decrease in the number of minor offences against property Class III These causes have at all events been found to operate in such a manner elsewhere

" Colonel Smith however attributes the decrease mainly to two causes as will be seen from his report, namely to energetic action on the part of the Police under the provisions of Chapter XXXVIII of Criminal Procedure Code, and to adequate punishments by the Magistrates in the cases of persons coming under sentence in previous convictions

" The increase under Class IV is chiefly caused in working the sections 504, 505, 506 of the Criminal Procedure Code

It appears that in all, 211 persons were arrested under the above named sections as compared with 61 in 1873.

For vagrancy without ostensible means of livelihood	82
Bad habit and repute	129

" and that of the whole number, 67 were committed to prison in default of security

" It is to be hoped that neither the Police nor the Magistrates in dealing with this class of cases have overstrained the provisions of the Law, but I must confess that I have always a certain amount of misgiving when I hear of particular activity having been shown in the matter lest the Police should have taken advantage of the various sections of the chapter to deal with persons against whom cases had broken down or against whom they had personal suspicion According to the provisions of Section 94 of the Criminal Procedure Code, Police officers can only arrest of their own motion persons *found lurking* within the limits of their stations *who* have no ostensible means of subsistence &c, that is to say persons who are liable under Section 504, but, I have reason to think that the above provisions are not always adhered to and that persons are sometimes arrested by the Police under Section 504 whether they were *found lurking* or not, on a suspicion of their being thieves, so as to throw the 'onus' of establishing their respectability on the persons so arrested in consequence of proof as to their being thieves not being forthcoming In cheap localities like some of the outlying parts of these Provin-

2 4 75 Y x W 55 365

ces, a man can support himself for a whole year on the produce of a couple of months' work, or he may live a life of idleness on the fruits of his wife's or childrens' labour or on the charity or liberality of relations. Several cases of this kind have come under my notice in other parts of the provinces, and I am of opinion that Police action with reference to the provisions of Section 504, should have been always limited as Section 94 seems to require, to persons actually *found lurking* to downright vagrants, in fact in the common acceptation of the term, and not to house holders or rather hut occupiers in villages.

" The instructions contained in the Judicial Commissioner's Book Circular XXVIII cannot but be attended with the very best effect, but as the Circular was issued somewhat late in the year, it may not have affected the general action of the Police in the matter during the year under report. It will be the duty of the Magistrates now to weigh carefully all the circumstances connected with the proposed arrest of a person coming within any of the sections that may apply and they should, I think, be especially careful with regard to authorising action to be taken against persons who might have been arrested by the Police for specific offences and in whose cases prosecutions had failed. Care should also be taken in not confounding Section 504 with Sections 506 and 507.

" It may be noted here in connection with the foregoing remarks that out of 55 persons convicted by one Magistrate of the 1st Class under Section 504 in regard to 44 persons the sentences were reversed on appeal.

" It is easy to understand that the passing of severe sentences on persons who have been previously convicted would have a marked effect on the crime of the year because not only are offenders put out of the way of committing crime for the term of their sentences but a wholesome dread is instituted into the minds of old offenders generally.

" The great increase in the number of robberies during the year is I consider a very unsatisfactory feature, and although the out-break, as Colonel Smith calls it, may have been checked early in the year, it seems that only 11 persons were arrested in 19 cases of whom only 5 were convicted. Some rather serious cases have also lately been reported which though they do not of course relate to the statistics of 1874 still serve to indicate that sustained and increased efforts are required on the part of the Police to put down this class of crime.

Wardha.—In this district taking every class of offence together there has been a slight decrease in the number reported in 1874 as compared with the previous year.

" The most noteworthy feature of the year is a marked decrease under the heads Theft, House-breaking, and other cognate offences; and here again the decrease is attributed to vigorous action on the part of the Police in dealing with habitual offenders and vagrants.

" The remarks made by me on this subject against Nagpur apply here also.

" Colonel Magniac's measures as reported in his 7th para. for keeping himself fully acquainted with the state of crime in every quarter of the district appear to have been most judicious."

[This is what the Deputy Commissioner writes, para. 7,]—

" I had sent to me copies of fortnightly reports submitted by the District Superintendent to the Inspector General of Police. These I carefully examined on receipt and at once drew the attention of the District Superintendent to increase of crime under any head and suggested such measures to check it as occurred to me, I noticed that crime was less where there was an intelligent and zealous Chief or Head Constable and *vice versa* as might be expected. The District Superintendent considered that the criminals were, in fact, persons who came from other districts, this was not substantiated, and subsequently it was found that vigorous action against habitual offenders checked crime and it may thus be assumed they were chiefly the criminals as in cases of theft, house-breaking and other offences against property.]

"*Bhandara.*—In this district there has been a decrease of 13 per cent in the total number of offences reported as compared with the preceding year. This decrease is chiefly under the heading Theft Ordinary and House-breaking, and the Deputy Commissioner attributes it to the low prices of food grains that prevailed especially during the last three months of the year.

"In this district there have only been 7 prosecutions under the vagrancy and bad livelihood sections of the Criminal Procedure Code; this bears out the suggestion contained in my first paragraph; as to whether low prices at Nagpur may not have affected the petty crime of that district to some extent.

"*Chanda.*—In this district the figures representing offences reported, are pretty much the same for both years, 1873 and 1874, still there is a perceptible decrease under the heads, Theft, and House-breaking, and as Major Glasfurd points out, in no single year for several years past, have the figures been so low as in the past year under the above heads. Here again the decrease is attributed to efficient action generally on the part of the Police and Magistracy and to good harvests and consequent cheapness of grain. Only four prosecutions took place under vagrancy the and bad livelihood sections.

"Major Glasfurd's efficient measures for keeping a careful watch over the progress of crime in his district were commended last year by my predecessor, they seem to have been attended with the best results during the year under report.

"*Balaghat.*—There is nothing particular to remark on with regard to the state of crime in this district. The increase in the number of offences under Class III (against property) has been fully explained by the Deputy Commissioner."

[*Balaghat District Report, paras.* 3, 4.] "The statistics of crime in the year under report as condensed in the marginal table show a curious contrast with those of the previous year. Though this year there has been an increase of reports and cases by 119 and 16 respectively, on the whole, it is caused by a large increase of reports and persons in crimes of Class III. only, under which there was a decrease of 28 persons in the previous year. This increase is mostly observable in the crimes common to this district noted in the margin.*

Description of Offences.	1873.			1874.			Increase or decrease.		
	Reports.	For disposal.		Reports.	For disposal.		Reports.	For disposal.	
		Cases.	Persons.		Cases.	Persons.		Cases.	Persons.
Classes I. ...	84	...	143	63	..	82	21	...	61
" II. ...	325	...	525	278	..	411	47	...	114
" III. ...	970	.	438	1,167	..	552	197	...	114
" IV.	75	...	107	65	...	88	10	...	19
	1,454	725	1,213	1,573	741	1,133	119	16	89

			Rpts.	Persons.	
*Theft	Cattle	(74)	38	60	23
		(73)	38	37	
	Ordinary	(74)	627	286	88
		(73)	510	198	
			Persons	111	

"This increase is partly caused by the omission of one Quarter's Returns of the Katangi and Kerola Pergannahs in 1873, as they were only annexed from 1st April and partly by the ordinary fluctuations in those petty offences. The fortnightly reports of the District Superintendent on the state of crime in the district, have been regularly checked by me, and appropriate orders issued when necessary."

[*Jubbulpore Division Report, para.* 10.] "It is satisfactory to note that crimes against property have decreased in all Districts except Mandla and Jubbulpore. In Mandla the number of offences reported has increased while the number of persons brought to trial has diminished. The Deputy Commissioner argues from this that while crime has on the one hand been more carefully reported, the actual amount of it has decreased. This is a satisfactory explanation, if it can be accepted, but it must be said that at present under any view the amount of crime of this kind in Mandla is unduly large. Probably one cause of this is the insecure character of the habitations in that District and the unsuspecting nature of the people themselves. In a

country where the population is so sparse and spread over so large an area, as it is in Mandla, the Police can do little against petty thefts and burglaries Thefts with violence are almost unknown in Mandla Jubbulpore, traversed as it is by road and rail, and with a rapidly increasing trade, is an exceptional District, and a decrease in crime against property is hardly to be looked for The influx of members of thieving tribes from the N W P, adverted to by the Deputy Commissioner, is likely to continue, and for the present all that can be done is to endeavour to make the District unpleasantly warm for them The Penal Code and the Criminal Procedure Code supply many powerful weapons against such persons, which have certainly not yet been brought properly into use The provisions of sections 504 and 505 of the Procedure Code have, as the Deputy Commissioner admits, been little used, and it appears strange that although the influx of gangs of thieves is reported both from Damoh and Jubbulpore, there has been no prosecution in either District, nor in any other District, under section 401, of the Penal Code for belonging to a gang of thieves Much moreover might be done in the way of making punishments deterrent. I shall have to recur to this subject again when I come to the head of 'punishments,' but I may remark here that looking at the sentences ordinarily inflicted one might suppose the maximum punishment for burglary to be two years imprisonment instead of 14 years as provided by Section 457 Then again there is the subject of dishonest receipt of stolen property, on which the Deputy Commissioner of Jubbulpore has some very pertinent remarks There cannot be a doubt that there are a large number of persons, many of them of apparent respectability, who make a trade of the receipt of stolen property It seems extraordinary that the Police cannot discover who these persons are and take account of them At present the discovery of stolen property is generally brought about by accident or by the confession of the thief The Police do not seem to know where to go to look for it There is no doubt that the 'receivers' are at the bottom of half the thefts committed, and when they are caught they should be visited with the utmost rigour of the law At present section 413 is a dead letter The whole subject is one calling for vigorous action The excellent results that may be expected to attend such action have been illustrated this year at Chapara in Seoni In Saugor, Damoh and Seoni the decrease in offences against property is attributed mainly to the greater cheapness of food, and the Deputy Commissioner of Saugor points out how there exists 'a large class just on the border, not averse to crime from moral motives, yet not prone to commit themselves unless impelled by hunger' No doubt the explanation is correct. Something is also due, and that especially in Seoni, to a more systematic prosecution of bad characters In Seoni the decrease in the number of offences against property from 1304 to 1035 is satisfactory"*

[*Jubbulpore District Report, para* 2] "It was suggested in para 3 of last year's report that crime could hardly be expected to decrease much until the offence of dishonestly receiving stolen property could be more effectually grappled with It would certainly be satisfactory to see more cases and convictions for this offence, but as yet there has been no advance, there have only been 55 cases compared with 61 in 1873 and it is believed that the cases that generally come are not against habitual receivers so much as casual purchasers. If the Police could only succeed in arresting professional receivers there might be some hope of dealing more satisfactorily with offences against property At present to judge by the returns the disposal of stolen property is by no means difficult.

The amount of property stolen and the sums shown as recovered are clear proof that the business is profitable to some at any rate, of the parties concerned Regular thieves could not ply their trade with success if they could not dispose easily of the goods stolen to receivers. These in the end are doubtless the largest gainers, the miserable Gond or Bharriah getting but a small share of the plunder The subject deserves the closest attention of the Police, for until the disposal of stolen property becomes difficult I see little chance of our successfully coping with offences against property At present natives even of some rank and respectability appear to have a certain twist in their moral tone as regards receiving stolen property and hardly look upon it as an offence This makes it the more difficult to deal with as in case of recovery one native of so called respectability will endeavour to shield his neighbour by saying that the property found has been lost, not stolen, on the principle, I conclude, of his feeling his own position insecure"

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* The decrease in Seoni is partly balanced by a corresponding increase in Balaghat whose Perganaah of Katangi formed a sub division of Seoni for part of 1873

[*Saugor District Report, para* 21] "There cannot I think be a doubt but that this result* is due solely to prices of food being cheaper In other respects there was no difference between the circumstances of the two years The Police were under the same management, and the District Officer the same, and no exceptional measures were taken against bad characters, or any other precautions of a preventive nature adopted

* Decrease in crime

"Every thing seems to point to the fact that a large class exists just on the border, not averse to crime from moral motives, yet not prone to commit themselves unless impelled by hunger In an abundant year when living is cheap, they are fairly good citizens, but in times of distress they much prefer stealing to working harder for their daily food"

[*Narbada Division Report, paras* 5—13] "For the Division then there is no great increase on the whole (in more heinous crime) and the notable increase is under grievous hurt and rape

"Under the former I am quite unable to account for the large number shown in Hoshangabad and Narsinghpur and the small number in Nimar and Chhindwara—and again as regards murders, Nimar and Betul are singularly free only showing one case each The increase in dacoities is much to be lamented and unfortunately is worse than it appears, as all except the Nimar one were serious cases and three of them of the very worst type and accompanied with atrocities That these last are all owing to a most lawless state of matters in Indore territory it will be my own duty to attempt to show hereafter.

"Apart from dacoities, the only crime in which Magistrates as Heads of the Police can do much towards repression is robbery. Mr Low remarked last year that the decrease in these was specially gratifying and a larger decrease is shown in the year under report, the figures of cases reported for which, should really be shewn as 11 to 21 in 1873

"In the dacoity cases the action of the Police in all has been good. In the murder cases it has varied and in one case at Hoshangabad alluded to by me in the Police Report it was specially disgraceful.

"The following table exhibits the figures for certain offences against property and it is in this class of crime our general efforts in the interests of order can be most clearly criticised.

	House trespass or House breaking for theft		Theft of cattle		Ordinary theft		Dishonestly receiving stolen property		Total	
	1873	1874	1873	1874	1873	1874	1873	1874	1873	1874
Hoshangabad ..	872	746	109	92	1,550	1,113	26	33	2,557	1,984
Narsinghpur ..	440	302	71	58	968	830	10	24	1,489	1,214
Nimar ...	309	256	31	30	599	581	24	23	966	890
Chhindwara	233	223	56	27	535	279	15	10	839	539
Betul ..	418	375	23	26	606	588	13	19	1,060	1,008
Total..	2,272	1,902	293	233	4,258	3,391	88	109	6,911	5,635

"A very remarkably large decrease is shown in every district. In Hoshangabad, Narsinghpur and Betul, prosecutions for dishonestly receiving stolen property have satisfactorily increased. In Chhindwara there is a decrease and a slight one in Nimar But I would remark, as Mr Low did last year, that they are still quite too

few—the cause for which I think he rightly supposed to be, that in many cases, the receivers are convicted as being the actual thieves. Excepting this column where *increase* is desirable, Hoshangabad shows a very large decrease in every other and the following table will be useful to compare all the districts.

District.	House-trespass or House-breaking Decrease per cent.	Theft of cattle.	Ordinary theft.
Hoshangabad	14·4	15·6	28·2
Narsinghpur	31·4	18 1	14 2
Nimar	17 1	11·8	3·0
Chhindwara	4 2	51·8	48·0
Betul	10·2	Slight increase.	3·0

" I give the population of the different districts and total of this crime for each.

District.	Population.	Total amount of this class of crime.
Hoshangabad...	4,40,186	1,984
Narsinghpur	3,39,395	1,214
Chhindwara	3,16,095	539
Betul	2,84,055	1,008
Nimar	2,11,176	890

" This shows that relatively the crime is altogether too light in Chhindwara which is very probably accounted for by the non-reporting of these crimes in the Zamindaries. In the other Districts the proportion is almost what one might have expected.

" In the Betul District both the Deputy Commissioner and the District Superintendent of Police believe that crime is still under reported, but the above figures seem rather against the conclusion. At any rate it is believed to have been better reported in that District than it was previously, and this will account for Betul shewing (comparatively with the rest) such a small decrease. For the other Districts, having carefully read all that has been said in the Police Reports or by Magistrates, I am of opinion that we can unhesitatingly accept the decrease as real and due to natural causes amongst which I believe good harvests to be the chief. In Hoshangabad I was at some pains to prove it real in my own report.

" Some of the Deputy Commissioners believe that wholesome prosecution for bad livelihood has had much to say to it and wherever this is carefully done it must tend to decrease crime, but that this class of crime is more affected by good harvests than anything else, has I think been amply shown in the returns for the Provinces generally in the last few years. Both Narsinghpur and Nimar had their decrease in this class of crime in 1873 attributed partly to their judicious proceedings against bad characters. Both these Districts in the year under report have less prosecutions of this kind and desirable as these always must be, I think that any *large* decrease of crime must have the full credit of all naturally operating causes, as affecting the returns far more than any exercise of repressive measures of this nature. In some of the remarks of Deputy Commissioners and District Superintendents of Police in the Police reports which I have this year myself had to send on, I am not sure that the result of cases in which bad characters are proceeded against is always good,

Narsinghpur openly hints that the District has been made too hot for them, and that they have disappeared to ply their trade 'in other fields where their antecedents are unknown.' For any individual Deputy Commissioner or District Superintendent of Police this must be pleasant enough but it is not so to the world at large. Our object it seems to me should be to retain them in the places where their antecedents *are* known, but by a sharp vigilance upon them, force them into honest pursuits or to the alternative.

" I append below a table similar to that given last year showing the manner in which the Police have dealt with theft and cognate offences in so far as concerns the bringing up to the Courts, persons presumably the offenders.

		Offences reported.	Cases brought to trial.	Percentage.
Hoshangabad ...	1873 ...	255	604	23·6
	1874 ...	746	120	16·0
Narsinghpur ...	1873 ...	1,489	594	39·8
	1874 ...	302	99	32·7
Nimar ...	1873 ...	966	320	33·3
	1874 ...	256	43	16·8
Chhindwara ...	1873 ...	839	284	33·8
	1874 ...	223	61	27·3
Betul ...	1873 ..	1 060	293	27 6
	1874 ..	375	104	27·7

" It is certainly anything but satisfactory as regards the action of the Police to look at these figures, and only more especially so when we consider the great decrease every where in these crimes and the much greater leisure the Police must have had in their efforts at detection. Betul alone has maintained its figure. Nimar falls off nearly 50 per cent, Narsinghpur 18 per cent and Hoshangabad 33 per cent.

" The Deputy Commissioner of Hoshangabad is the only one who has any remarks on the weakness of the Police action

" The percentage shown against Chhindwara is not very remarkable, being only 7 per cent. decrease."

[*Sambalpur District Report, paras.* 10, 11.] " The increase in crime has occurred, almost entirely under the heads of House-breaking in order to theft and theft. The causes of this increase are I think (1) the higher price of food grains owing to the failure of the crops over a part of the district, and (2) the fact that more reports of very trivial cases have during the past year been made to the Police. The subjoined table gives an abstract of all the offences against property which have occurred, classified according to the value of the property stolen.

Value.	House-breaking in order to commit theft.	Theft		Total.
		Of cattle.	Ordinary.	
Not exceeding 8 Annas	23	1	187	211
Do. 2 Rupees... ...	29	32	200	261
Do. 8 do.	34	24	146	204
Do. 16 do.	9	20	70	99
Do. 32 do.	3	13	14	30
Do. 50 do.	...	6	4	10
Do. 100 do.	...	3	5	8
Above 100 do.	4	...	2	6
	102	99	628	829

" This then shows that the great majority of the cases which have occurred have been of

an extremely trivial character, and I find that out of the cases shown under the heading 'ordinary theft' 198 or nearly one third were thefts of small quantities of rice, sugar-cane or other eatables It is evident also from the fact that in 33 cases of cattle theft, the value of the property stolen was under Rupees 2, that the animals stolen in all these instances must have been goats or sheep, and these are always taken with the view of being eaten At the same time, although I have not got the details with me in Camp, I can say that all classes of theft cases were most numerous in those localities where the failure of the rice crop had been most complete, and at the season of the year when prices were highest It is consequently in my opinion absolutely certain that it is to this cause that the increase in such offences is mainly attributable.

"It is however I think equally certain that the increase has been to some extent caused by the more frequent report of very trivial cases during the past year In my last year's report I mentioned that the question whether crime was correctly reported in this District had been raised by your predecessor Major Smith, and that I had consequently instituted very careful inquiries with regard to this point, and I now find that one of the results of these inquiries has been to impress the people as well as the Police, with the idea that every incident which bears any semblance to a crime of however petty a character, must at once be reported and registered Last year I sanctioned 103 cases being struck off the register against 54 in the year before, and I can confidently assert that all were cases which ought not to have been registered I believe also that this tendency to over reporting has led to some unnecessary prosecutions. In a great many very petty cases which came before me, and in which prosecutors and witnesses had been brought in long distances, I found that no reports would ever have been made at all had not the people thought that they would get into trouble if they did not report, and the Police on their part urged that a report having been made they were bound to take up the case in ordinary course I do not think however that any blame can attach to the Police in the matter, they have found the question whether their statistics of crime were trustworthy, raised by an official of high position, and they have also recently seen their District Superintendent forced to reply to a charge of wilfully suppressing crime, because a few trivial reports had not been registered as offences It is consequently not to be wondered at that they should show themselves somewhat over zealous in getting the people to make reports, and too ready to register every fresh report as an offence Then again as their work is judged almost entirely by statistics, they must endeavour to prosecute successfully every case that is registered and this leads to prisoners, prosecutors and witnesses being dragged several days journey to court, in cases in which it is sometimes difficult to assign any money value for the property which has been stolen."

General view of offences against property

*I. Lurking House trespass with intent to commit an offence or having made preparation for hurt
II Theft ordinary.

10. On a general view of offences against property* there can be no doubt that in the main this is the true explanation of their fluctuations in these Provinces. As was remarked in last year's report the mass of these offences are of a comparatively unimportant character, petty grain thefts and lurking house trespasses with intent to commit the pettiest offences which fluctuate with the fluctuations of the times, their numbers in bad years at once increasing largely and again dropping to a nominal figure on the return of good times.

No doubt the prosecution of vagrants and bad characters and the exemplary punishment of habitual offenders, measures proper in their way, have an effect in stopping recurrent offences against property, but the *main* causes of fluctuations in crime in these Provinces must always be looked for elsewhere.

3-4.75. x, k—64—365.

In reference to the remark of the Commissioner, Jubbulpore Division, quoted above that in the Jubbulpore District the provisions of Sections 504, 505, Code of Criminal Procedure, have been little used, the figures given in the margin show that they were used to a larger extent in that district than in any other district excepting Nagpur, Seoni and Raipur; and it may be added that so far as prosecutions under Section 94, Code of Criminal Procedure, are concerned, the District Superintendent of Police in that district was during the greater part of the year an Officer who in his previous district (Narsinghpur) was held to have been both specially vigorous and universally judicious in the prosecution of vagrants and bad characters.

District.	Vagrants.		Persons of bad habit.	
	Number of persons brought up.	Percentage from whom security was required under S. 504, C. Cr. P.	Number of persons brought up.	Percentage from whom security was required under S. 505, C. Cr. P.
Nagpur ...	82	68	129	86
Chanda ...	1	...	4	75
Bhandara ...	1	...	6	50
Wardha ...	17	41	28	75
Balaghat ...	...	.	11	45
Jubbulpore ...	24	75	57	68
Saugor ...	..	..	24	62
Damoh ...	2	..	14	21
Seoni ...	55	71	80	91
Mandla ...	...	.	20	65
Hoshangabad ...	13	46	39	41
Betul ..	37	92	8	100
Narsinghpur ...	4	100	16	81
Nimar ...	11	91	25	84
Chhindwara ..	2	..	5	80
Raipur ...	61	67	23	61
Sambulpur ...	2	100	9	77
Bilaspur ...	5	80	2	50
Upper Godavari ...	...	..	1	100
Total ...	317	71	501	74

A Circular* which was issued by the Judicial Commissioner during the year on the subject of the prosecution of vagrants and bad characters is here given:—

*No. XXIII. of 7th August 1874.

"With the approval of the Chief Commissioner, the following instructions are issued in regard to the prosecution of vagrants and bad characters.

"Magistrates of districts will direct officers in charge of Police Stations not to make arrests in future under Section 94, Code of Criminal Procedure, without the concurrence of the Magistrate of the district or of the Magistrate of the division of the district, in which the Police Station may be situate, unless *immediate* arrest be necessary for the ends of justice.

"Necessity for immediate arrest more often arises in the case of persons found "*lurking*" [without ostensible means of livelihood, or unable to give a satisfactory account of themselves]; but in the case of reputed robbers, house-breakers, thieves, receivers of stolen property and of persons of notoriously bad livelihood, although immediate arrest sometimes is, it generally is not necessary. For usually these persons are well known permanent residents of places within the jurisdiction of the Police Station, whose arrest a few days' delay will not defeat, and in all cases when immediate arrest is not necessary, Officers in charge of Police Stations should be directed in future to make prior reference to the Magistrate of the district or of the division of the district, and the Officer in charge of the Police Station will not make arrest without the concurrence of such Magistrate.

"These instructions are given, because experience has shown that Officers in charge of Police Stations, when proceeding under Section 94, Code of Criminal Procedure, [on mere general character, repute or appearances] need a special guidance which they may not require when proceeding under Section 92, Code of Criminal Procedure, or Section 34 of the Police Act, [on tangible evidence of a specific offence] and because special guidance as regards arrests under Section 94, Code of Criminal Procedure, the necessity of which often depends upon exigencies connected with the general administration of criminal matters in a district or division of a district, may best come from the Magistrate who has chief executive charge in such matters.

"Magistrates of districts and of divisions of districts, will now be directly responsible for the prosecution of all vagrants and bad characters, whom Police Officers may not find it necessary to arrest immediately without reference, and it is expected in consequence that arrests under Section 94, Code of Criminal Procedure, will be more uniformly judicious, and illegal arrests less frequent than they have been.

3-4-75 K k 65 365

As the Chief Commissioner knows, the immediate cause of the issue of this Circular was grave abuse of the Law on the subject in the Nagpur District.

The hints as to the legal prosecution of bad characters which will be found in the following extract from a report by the Deputy Commissioner of the Lahore District in the Panjab [published with the Chief Court's Criminal Report for 1873] may prove instructive —

"With regard to the taking of security from bad characters I endeavoured to carry out the measure systematically all over the district and as the operations were carried out on a somewhat large scale, it may be desirable to notice them here in some detail

"The *modus operandi* was this I divided the work between myself and my Assistants I took up myself all the cases in the Sharukpur purganah and in parts of the Lahore and Chunian purganahs, Mr Hawkins, Assistant Commissioner, took up those in the remaining part of the Lahore purganah and in part of the Kasur purganah, Major Gurdon, Assistant Commissioner of Kasur, took up those in the remaining parts of the Kasur and Chunian purganahs

"The cases were taken up in the marching season in the beginning of the year and were heard either in the villages where the accused resided, or in the immediate neighbourhood My own practice was to march by short stages, to give timely notice to the Police of the different halting places with orders to bring up all the budmashes of the surrounding villages on the dates fixed, and any witnesses to character they might desire to offer, and especially two persons who would be sureties for them in the event of security being demanded The Deputy Inspector of Police, the Zaildar of the Circle, and lambardars of the villages, were all to be in attendance On the date fixed each village was taken up separately, and treated as a separate case, without regard to the number of bad characters it furnished The evidence of the Police officers and Zaildar was always taken, often also the evidence of the lambardars, although in many cases it was worthless from the lambardars, themselves being in league with the thieves The statements of the accused and his witnesses were recorded, and final orders were passed at once Security was almost always forthcoming at the time If not, grace for a few days was allowed to the accused to produce sureties and in very few cases (I speak of my own court) was it found necessary to send the accused to jail for default in finding security

"In this way by hearing the cases near the homes of the accused they were almost always disposed of within the day, little inconvenience was caused to either the witnesses or the accused, security was readily forthcoming, and there were far better opportunities for ascertaining the real character of the accused in case of doubt than if I had been trying the cases at the head quarters station Moreover, the effect produced on the people was much greater than if the cases had been heard at head quarters It was known all over the purganah that the Deputy Commissioner was going about enquiring into the state of crime, and taking security from the bad characters It was a subject, of conversation and great interest everywhere, and people saw that earnest efforts were being made to put down crime The opportunity was taken to enlist the co-operation of the Zaildars, lambardars, and other men of influence in the same cause, and I think the statistics of the year furnish ample proof that the measure has not been without fruit. And the universal voice of the people bears evidence to the great diminution in thefts and burglaries which has taken place during the year, and to the great good that has been effected by the measure

"Towards the end of the year Captain Nisbet, Assistant Commissioner, and myself while in camp, resumed systematic operations against the bad characters, and throughout the year casual cases were sent up from all parts of the district The following table shows the total number of persons from whom security was demanded during the year, and the number of those who were imprisoned in default.

By what Officers	Total number of persons from whom security was demanded	Number imprisoned in default
Mr J W Smyth, Deputy Commissioner	693	20
Captain R P Nisbet, Deputy Commissioner and Assistant Commissioner	316	43
Mr C R Hawkins do do	477	49
Major Gurdon, Assistant Commissioner	112	71
Gholam Nabi Khan, Extra-Assistant Commissioner .	179	73
Other officers...	74	44
Total..	1,851	300

"The above table shows a considerable difference in the different courts in regard to the number of persons imprisoned in default of furnishing security. The number is very small in my own court, and the reason may be that I generally allowed the accused a few days' grace to find security. It is not the object of the measure, nor is it desirable, to fill our jails with such persons. The object which I kept in view was to put bad characters under the restraint of security, and I encouraged them to find security if possible. It was only very reluctantly that I sent any of them to jail. The numbers sent to jail from Captain Nisbet's and Mr. Hawkins' courts were not large, but they were large from all the other courts. Major Gordon and Gholam Nabi Khan were in charge of the Kasur sub-division, where there are many very notorious bad characters, from whom heavy security was rightly demanded; and it may be on this account that security was furnished less readily in their courts. As regards the courts at the sadar the relatively high number imprisoned is, I consider, due to the cases having been tried at head-quarters. Some little time must usually elapse before security is furnished in these cases, and in the meantime the accused are sent to jail, but are usually released a few days afterwards.

"In considering the table above given, it must be borne in mind that persons are entered as imprisoned in default, who may have been in jail for perhaps only a day or two, while their friends were making arrangements to get security for them. Thus I have ascertained that of the 300 persons shown above as sent to jail, 187 were released after short periods:

6	were released	after one day.				
17	"	"	after periods varying			from 2 to 5 days.
40	"	"	"	"	"	from 6 to 10 days.
34	"	"	"	"	"	from 10 to 20 days.
20	"	"	"	"	"	from 20 to 30 days.
37	"	"	"	"	"	from 30 to 60 days.
33	"	"	after longer periods.			

"Before quitting this subject, I may observe that I was well aware, as were also the experienced officers who assisted me in carrying out the measure, that it is one which is peculiarly liable to abuse, and may be made an engine of great oppression to the people. Our constant efforts were directed to prevent abuses,—to see that persons were not accused simply to gratify some spite on the part of the police, or of the zaildar, or lambardars, or other persons in authority; to see also that the real bad characters were sent up, and that the police and lambardars were not making a mere show of vigour by sending up chooras and other low classes, while the real offenders were screened for a consideration; to see moreover that persons were not sent up simply because their names appeared in the police register of convicted offenders (No. IX.), but that their present character was such as to justify their being put on security. I was particularly careful in dealing with cases of persons who had not been previously convicted of any offence, for there is a very great distinction between the case of a man who is merely suspected of being a thief, and of the man who has already been convicted of the theft, and against whom suspicion still exists. In cases of the former class, when there was any doubt, I always took care to give the accused the benefit of it."

Tendency to over reporting of crime.

11. As regards *increase* of reported crime, the Deputy Commissioner of Sambalpur's report quoted above, confirms in some degree what the Judicial Commissioner remarked last year as to a tendency on the part of the police in some places to prosecute unnecessarily trifling offences which are over reported. Unless such tendency be checked it must operate injuriously, and the matter has become of greater importance during the year in connection with the conversion of "voluntarily causing hurt" into a cognizable offence. When Act XI. of 1874, which made the conversion first come into effect, several District Superintendents of Police expressed apprehensions on this head, founded in some instances on over-interference actually exercised by the police in hurt cases, and the Judicial Commissioner was referred to for a remedy. It was pointed out that the remedy lay in S. 117, C. Cr. P., but everything depends on the view of the officer in charge of the police station, and police officers with a tendency to prosecute unnecessarily, may find little difficulty in seeing sufficient ground for entering on an investigation.

12. The offences reported during 1873 and 1874 under some of the principal heads of non-cognizable crime, are compared in the following table:—

Non-cognizable crime in 1873 and 1874.

District.	Year.	Making, using or possessing false weights and measures	Omitting to give information of offence or giving false information.	Taking valuable thing by or to influence public servant.	Giving or fabricating false evidence.	False charge of offence.	Forgery or fraudulently using or possessing forged document.	Affray.	Enticing a woman with criminal intent.	Adultery.	Assault or use of criminal force.	Criminal intimidation or insult.	Defamation.	Extortion.	Dishonest misappropriation of property.	Cheating.	Mischief ordinary.	Cattle trespass.	Sampa.	Year	District.
Nagpur	1873	16	9	2	1	1	1	9	27	3	1,265	132	80	7	17	25	29	2	10	1873	Nagpur
	1874	8	8	3	19	3	17	31	28	11	998	122	49	2	14	30	21	21	19	1874	
Chanda	1873	14	23	4	7	1	1	2	3	...	157	12	7	3	28	2	6	4	7	1873	Chanda
	1874	6	17		7		..	6	2	3	185	9	10	..	17	4	1	1	13	1874	
Bhandara	1873	...	6	1		3	...	2	12	...	310	189	20	1	7	5	7	6	11	1873	Bhandara
	1874		2		3	1	1	2	16	5	297	111	20		7	8	3	4	4	1874	
Wardha	1873	5	10	8		...	1	6	13	10	484	64	6	2	18	9	15	12		1873	Wardha
	1874	4	7	3	2		...	13	6	11	432	66	12	1	19	8	22	6	33	1874	
Balaghat	1873	3	5	...	1	..	1	4	13	5	231	2	7	4	15	4	5	30	1	1873	Balaghat
	1874	1	3	...	1		...	9	12	2	162	16	...	5	5	4	4	16	4	1874	
Jubbulpore	1873	6	16	5		1	2	31	34	19	768	89	35	20	20	35	46	39	15	1873	Jubbulpore
	1874	2	9	6	5	6	2	23	9	24	270	73	38	2	13	26	46	27	15	1874	
Saugor	1873	28	11	...	..	...	1	30	7	6	467	159	13	2	13	10	27	17	59	1873	Saugor
	1874	25	16	..	2	3	3	18	4	11	330	216	17	2	8	11	19	13	17	1874	
Damoh	1873	2	8	..	1	...	1	4	3	9	98	10	25	8	18	9	7	14	1	1873	Damoh
	1874		9	2	...			10	2	16	93	10	10		9	4	1	26	6	1874	
Seoni	1873	3		2	6	3	..	3	12	4	585	22	16	4	14	16	11	11	2	1873	Seoni
	1874	6	4	...	2	2	..	2	2	8	237	4	8	12	31	15	13	10	10	1874	
Mandla	1873	3	2	1	...	..	...	..	2	.	80	1	1	1	.	12	1	2	3	1873	Mandla
	1874	...	1	2	1	...	...	..	3	.	70	..	2	5	3	8	3	4	2	1874	
Hoshangabad	1873	10	14	4	5	1	7	37	9	9	907	71	19	6	12	23	22	17	13	1873	Hoshangabad
	1874	5	20	5	2	1	1	24	14	3	683	75	7	6	6	8	12	23	26	1874	
Betul	1873	3	4	1	1	..	.	11	8	3	225	16	6	...	13	20	6	11	8	1873	Betul
	1874	2	10	3	3	1	..	9	2	11	203	12	11	11	9	15	2	10	26	1874	
Narsinghpur	1873	1	14	5	9	2		15	11	...	526	59	5	...	5	8	19	13	5	1873	Narsinghpur
	1874	9	10	1	3			4	39	2	284	45	15	1	7	18	16	6	12	1874	
Chhindwara	1873	8	11	2	9	7	4	6	11	7	105	8	6	3	10	8	3	6	4	1873	Chhindwara
	1874	...	9	...		1	..	6	6	10	203	6	9	1	5	.	5	9	7	1874	
Nimar	1873	10	23	2	2	...	4	8	8	...	285	31	7	1	12	18	10	8	7	1873	Nimar
	1874	13	14	1	4	...	3	15	5	1	134	24	13	..	6	3	7	5	17	1874	
Raipur	1873	6	9	6	3	...	5	16	26	4	409	9	17	10	23	38	16	24	7	1873	Raipur
	1874	3	10	3	..	1	1	8	29	1	320	5	13	6	30	27	12	8	19	1874	
Sambalpur	1873	.	2	..	...	1		5	1	.	155	3	1	1	..	6	..	...	27	1873	Sambalpur
	1874	..	12	1	1	...	1	8	...	..	124	9	1	1	4	1	5	1	7	1874	
Bilaspur	1873	3	16	4	.	...		6	5	6	186	28	6	[illegible]	24	8	10	7	1	1873	Bilaspur
	1874	2	4	1	6	7	5	4	8	17	187	34	23	2	7	13	15	8	9	1874	
Upper Godavari	1873	..	.	1	2	..	...	2	1	3	56	27	16	..	5	2	6	6	2	1873	Upper Godavari
	1874		2	2	4	.	2	1		1	40	13	15	...	2	1	4	2	...	1874	
Total	1873	121	183	48	47	20	28	197	206	88	7,409	932	243	73	259	258	246	229	183	1873	Total
	1874	86	167	33	67	26	36	193	168	137	5,261	850	273	57	204	204	211	200	246	1874	

General view of non-cognizable crime.

13. It will be seen that as in the main heads of cognizable crime, so under the principal heads of non-cognizable crime there has been with exception to "giving or fabricating false evidence," "false charge of an offence," "forgery or fraudulently using or possessing a forged document," "adultery," "defamation," and "Stamps," a general decrease in the number of offences reported.

Offences relating to weights and measures.

14. Saugor still continues to show the largest number of offences under this head. Nimar comes next.

The following explanations are given by the Deputy Commissioner of Saugor :—

[*Saugor District Report, para.* 7.] "Prosecutions for using false weights, (25) are still numerous though they are 3 less than in 1873 ; it is chiefly to the vigilance of the Police in the Municipal towns that we owe the discovery of these offences. A suspected cheat is watched in the bazar, his weights examined and if found short, the matter is reported to the District Officer for his orders. The large proportion of convictions show that the Police have been careful."

Omitting to give information or giving false information.

15. There is a slight decrease under this head, chiefly due to fewer prosecutions in Chanda, Jubbulpore, Nimar and Bilaspur. Chanda has 17, Saugor 16 and Hoshangabad 20 cases. The Deputy Commissioners' remarks are as follows :—

[*Chanda District Report, paras.* 53—55.] "The number of offences has fallen from 23 in 1873 to 17 in 1874; 18 persons were arrested against 28 in 1873, and they were all convicted.

"With the exception of one case which was taken by the Tahsildar of Brahmapuri, all these persons were prosecuted after the Deputy Commissioner's express sanction.

"The fact that all were convicted will probably be a sufficient guarantee of the propriety of the proceedings, but I must again record my belief that the number of cases is much below what it should be considering the proneness of the people to bring false charges out of malice, and the fact that a high percentage of offences are entered as not having occurred. 15 cases were for making false reports, and 2 for neglecting to give information of the occurrence of crime."

[*Saugor District Report, para.* 8.] "There were two cases of persons not in Government employ giving themselves out to be Government Chaprasis. One of them succeeded in raising a few rupees from Malguzars before he was found out. There were 16 to 11 cases of giving information ; 4 of them instituted by the Police, 3 by aggrieved parties who had been falsely charged by others of a criminal offence, and 4 by Magistrates on discovering that there was no foundation for the cases under trial before them."

[*Sambalpur District Report, para.* 18] "Giving false information of an offence committed. All four cases under this head were brought against a Police Head Constable who was found to have attempted to shirk work by making false entries in the register regarding cases which had been reported to him. He was accordingly prosecuted with my sanction under Sections 203 and 202, Indian Penal Code ; one case under Section 203 and two under Section 202 were established against him on his trial before my Court, and he was sentenced in all to 5 months' rigorous imprisonment and Rs. 25 fine.

"The facts of the first case were that the Head Constable had entered a case in his register as one in which only 8 annas worth of property had been stolen, and the complainant did not desire Police aid, although the complainant himself had come to the Police Out-post and had given information that Rs. 14-8-0 worth of property had been stolen and had particularly asked for assistance. In the other two cases he had neglected to report offences of which he had received due information. This man had only been for a very short time at the out-post when his misconduct was discovered, and it was clear from the enquiries then made, that no similar instances had previously occurred. It was simply a case in which an incompetent and idle

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man had been unfortunately selected to fill a position of trust and responsibility, and, as I have previously remarked, I think that the Police show no tendency to suppress crime, but rather encourage needless reporting."

[*Bilaspur District Report, para.* 3.] "The number of cases of omitting to give information of offence or giving false information thereof shown under side heading 17 have fallen off from 16 cases and 26 persons in 1873 to 12 cases and 21 persons in 1874, and the convictions from 21 to 15. This is, I think, only as it should be. The Police are generally much too fond of bringing forward cases of this kind. In the early part of the year I was obliged to decline to allow prosecution in cases reported and recommended for prosecution by the Police."

False evidence, false charges, forgery.

16. Those headings show general increases. Nagpur shows the greatest fluctuations; but the actual occurrence of those offences returned for Nagpur have been found to be in a large proportion of cases at least doubtful.

As regards false evidence the Commissioner of the Jubbulpore Division has the following remarks:—

(*Para.* 7.)—"Prosecutions for giving false evidence still continue to be few. On this subject the Deputy Commissioners of Jubbulpore and Saugor have some remarks in paras. 2 and 13 of their respective reports.

"The Deputy Commissioner of Jubbulpore lays stress on the difficulty of obtaining proof that will support a conviction in the Appellate Court.

"The Deputy Commissioner of Saugor points out that though an Officer may be convinced that certain evidence which has been given before him is false, he may not feel sure that another Officer will take the same view. The argument in both cases is the same, viz. that falsity of evidence which is apparent to the court before which the evidence is given is not always capable of proof before another court. This is in fact another way of saying that it is not always capable of judicial proof. And here we come to the bottom of the matter. It frequently happens, as the Deputy Commissioner of Jubbulpore points out, that the manner and gestures of a witness are sufficient to convince the court that he is lying, and the court is then of course justified in discrediting the evidence. But it would clearly be highly inexpedient for the court to proceed to punish the witness for perjury unless the grounds for discrediting his evidence amounted to positive proof of its falsity. The fact is that positive proof of the falsity of evidence is very difficult to obtain (witness the small proportion of convictions in Jubbulpore and Saugor even in the cases in which prosecution was attempted); and this I believe is the reason, and not any general feebleness of action on the part of the courts, why prosecutions under this head are so few. For my own part I do not think the fewness of prosecutions a matter for much regret. I do not believe that perjury in this country will be stamped out by criminal prosecutions. Hired evidence may no doubt in time be put down, but it is not so much the hired witnesses who give trouble to the courts as the witnesses who have a substratum of truth in what they depose, but are led in the interests of their side to exaggerate and embellish it. This is the form of perjury which is now so common, and the Penal Code can do little against it."

Assault, intimidation and insult.

17. The large decrease under the head of assault is to some extent accounted for by fewer cases of hurt being now classed as assaults, and for the rest may—it is hoped—be in a measure due to the greater care on the part of the Magistracy in entertaining complaints for which credit is taken in the reports.

The Commissioner of the Jubbulpore Division has the following on the point:—

(*Para.* 9.)—"The greatest decrease is in Seoni, and is attributed by the Deputy Commissioner mainly to the closing in the beginning of the year of the courts of the two Honorary Magistrates who had previously tried cases in the interior of the district. The explanation seems to me a probable one. Without going so far as to say that the Honorary Magistrates' courts foster petty complaints, it is obvious

enough that people with petty complaints will not take the trouble to go many miles to lodge them, and that where a court is located, there many complaints will be lodged which otherwise would never have been heard of. There is of course no harm in this so long as the courts do not allow themselves to be drawn into taking cognizance of matters of too trivial a nature. The Deputy Commissioner of Saugor points out that the provisions of Section 504 of the Penal Code ('insult intended to provoke a breach of the peace') appear to be occasionally strained to cover cases of mere insult or abuse where no breach of the peace was likely, or was intended to be provoked. It is probable enough that this is the case, and it would be well that the true meaning of this section should be impressed upon Honorary Magistrates. They should also not be allowed to lose sight of the provisions of Section 95 of the Penal Code, and Section 209 of the Procedure Code."

Extortion.

18. Under this head the Deputy Commissioner of Betul remarks:—

(*Para* 29.)—"Ten persons have been tried for extortion during the year. Of these seven were convicted. Amongst these there was a Police Head Constable who has been sentenced to 1½ year's rigorous imprisonment and to pay a fine of Rs. 25 for extorting a sum of Rs. 30 from one Harba, who was charged with theft under the threat of putting hand-cuffs on him."

B.—The Tribunals.

No change in superior Courts.

19. The Courts superior to the Magistrates underwent no change.

Effective strength of the Magistracy at the close of the year.

20. The following statement shows the effective strength of the Magistracy at the close of the year:—

Districts.	Stipendiary Magistrates.			Honorary Magistrates.			Remarks.
	1st Class.	2nd Class.	3rd Class.	1st Class.	2nd Class.	3rd Class.	
Nagpur ...	*5	4	...	†6	†6	†3	*Deputy Commissioners are here also included.
Chanda ...	3	2	1	...	2	3	
Bhandara ...	5	3	2	1	1	1	
Wardha ...	4	1	2	...	2	2	
Balaghat ...	2	1	2	...	...	1	*Every Deputy Commissioner exercises in his district the powers of S. 30, C. Cr. P.
Sironcha ...	2	...	1	...	...	...	
Jubbulpore ...	6	3	...	...	3	4	
Saugor ..	5	5	...	...	2	6	
Damoh ...	2	1	1	...	2	1	
Seoni ...	2	2	...	...	...	1	†The Honorary Magistrates of Nagpur comprise a Bench.
Mandla ...	2	2	...	...	1	1	
Hoshangabad ...	6	3	2	...	7	7	
Betul ...	1	2	...	...	...	1	
Narsinghpur ...	5	1	1	...	1	3	
Chhindwara ...	2	2	...	...	...	2	
Nimar ...	5	2	2	1	1	1	
Raipur ...	4	4	...	...	3	1	
Sambalpur ...	2	2	1	...	...	...	
Bilaspur ...	3	2	1	...	1	2	
Total	66	42	16	8	32	40	

Necessity for additional Magistrates.

21. The great need of additional Magistrates in the interior of districts continues. To say nothing of the inconvenience caused to complainants and witnesses in criminal cases, the cost to Government in defraying their increased travelling expenses when their homes are very distant from the Magistrate's Court, and the waste of

Police in the duty of escorting arrested persons to distant Courts, it is in a great degree owing to paucity of Magistrates in the interior of districts that Police officers disregard the prohibition of Section 124, Code of Criminal Procedure, against detaining accused persons in custody longer than 24 hours without the special order of a Magistrate, a subject to which reference is made in paragraph 25 below. The Commissioner of the Jubbulpore Division has the following on the subject :—

[*Jubbulpore Division Report, para.* 16]—"It is now very necessary that in these last named districts (Seoni and Mandla) both at head-quarters and in the interior, fresh appointments should be made in order to afford some relief to the Tahsildars whose criminal files are at present very heavy. I find that the Tahsildars in Seoni took up 53 4 per cent, and in Mandla 48 5 of the whole work."

The Commissioner of the Nagpur Division also has some remark in like sense in paragraphs 40 to 44 of his report.

The Commissioner of the Chhattisgarh Division writes as follows :—

[*Chhattisgarh Division Report para* 7] "It is certainly desirable that we should have some more Magistrates in the interior of the districts, but at present there seems to be some difficulty in getting persons duly qualified for the Honorary distinctions."

This the Judicial Commissioner has never been able to understand.

Honorary Magistrates appointed during the year

NAGPUR DISTRICT
Mr G. Lamiah,
Ramoji Naik

CHANDA DISTRICT
*Shri Hari Kesho,
*Pandurang Kalut Kar,
*Kurshad Husein.

BALAGHAT DISTRICT
*Gunpat Rao, Zemindar.

BETUL DISTRICT.
Shiv Baksh.

CHHINDWARA DISTRICT.
Mahomed Ali Khan.

22. During the year eight gentlemen were appointed Honorary Magistrates, as per margin, but of these only four* hold their Courts in the interior of districts.

The following extracts from the local Reports afford some hope of additional appointments of Magistrates :—

[*Nagpur District Report, para.* 9] "If care be taken in selecting the classes of offences to be made triable, benefit may, I think, result from the appointment of special Magistrates (Section 42, Criminal Procedure Code) in some of the outlying towns of the district, such as Kalmesh var, Khapa, Saoner, and Mowar, and I hope shortly to submit definite proposals on the subject."

[*Chanda District Report, paras.* 33, 34] "More Honorary Magistrates are requisite in the Mul and Brahmapuri Tahsils.

"The Zemindar of Pulusgurh and an influential Malguzar in the Wyragarh Pargana were recommended for Magisterial powers in the correspondence terminating with this office No. 81, dated 11th January 1875.'

[*Betul District Report, para* 19] "The Honorary Magistrate Teji Singh, who for nine years exercised 2nd Class powers within the town of Betul, died in the month of June 1874, and his son Shiv Baksh has been recommended for the vacant post. The common sense and uprightness, as well as the independence of character of Teji Singh were matters of notoriety, and commanded the respect of all his acquaintances and the public."

The appointment of Shiv Baksh was made by the Chief Commissioner on the 21st December 1874.

[*Mandla District Report, para* 40] "There is room in this large district for one or two more Honorary Magistrates, and it is my intention to ask you, when you visit Mandla, for your support to a recommendation of at least one native gentleman whom I think well qualified for the Magisterial office"

[*Seoni District Report, paras* 15 *and* 16] "The number of Courts now existing appear inadequate to the wants of the district, and consequently a large quantity of the criminal work is thrown on the Deputy Commissioner with his summary powers"

"Captain Temple proposed to recommend the investiture of Golab Sing, a large landed proprietor, with Magisterial powers, and I merely await his dismissal of a worthless Mooktiar to forward the recommendation, and I will see if I cannot find some other native gentleman of respectability to recommend, but at present I have not had time to make the acquaintance of any of the native gentlemen of the district, and during my absence in camp, the work falls rather heavily on the only two Stipendiary Magistrates at the Sadar"

[*Narsinghpur District Report, paras* 32, 34.] "I observe that Major Plowden, in his report for last year, commented on the great desirability of having one or two more Honorary Magistrates in the eastern and northern parts of the district Several suitable persons were also recommended by him, *viz*, Thakur Mohun Singh of Manigaon, Thakur Balwant Singh of Burchta, Thakur Dheerij Singh of Singhpur I understand that orders will shortly be received, conferring on these individuals Magisterial powers One is also very much wanted at Chhindwara, but there is no one available there, however, Manegaon, where Thakur Mohun Singh resides, and who has been recommended for Magisterial powers, is only a few miles off, so Chhindwara wont then be so very badly off

"Another Honorary Magistrate in the Chawarpatha Tahsil would be a great boon, but at present I am not prepared to recommend any one, and I am afraid there would be some difficulty

"Seth Shiv Baksh, Honorary Magistrate at Gadarwara, who died towards the close of the year, was a great loss, his court was very popular, and he disposed of a large number of cases"

[*Saugor District Report, para* 38] "It will be possible, I think, if funds be forthcoming for payment of Mohurrirs' salaries, to recommend two or three native gentlemen for the much coveted post of Honorary Magistrate Unfortunately, those who appear to be most worthy of this distinction, do not reside in those parts, the north-east and northern frontier of the district, where the want of Magistrates is most felt, still their services will be valuable in their own neighbourhood"

[*Raipur District Report, para* 20] "More Honorary Magistrates are required in the interior of the district, and I intend to recommend some fit persons for the bench as soon as I have seen the whole of the district"

On the value of Courts presided in by Honorary Magistrates, though the subject is rather worn out, the following extracts appear in place .—

[*Nagpur Division Report, paras* 47, 48] "I am not in a position to speak myself as to the quality of their work, but on the whole it is reported on favourably by the several Deputy Commissioners, and taking every thing into consideration it would appear that as a body the Honorary Magistrates of the division are fairly efficient It is I consider a great gain to the Administration to have such assistance as these native gentlemen render in the disposal of criminal business, as it admits of the stipendiary Magistrates being utilized in other ways It is also a great thing for the people to have one of their own class holding court in their midst to which they can have ready access As far as my own experience goes, and it has been somewhat varied, the Honorary Magistrates do their duty in an honest and straight forward manner, and in spite of many difficulties, as owing to their often having in the course of business to run counter to influential persons residing within their jurisdiction and not unfrequently also to the Police, they are exposed to all sorts of combinations by interested and intriguing parties.

"The Officers of Government should therefore be especially careful not to listen to general reports and vague accusations regarding Honorary Magistrates, but should do

their utmost to uphold and support them in the dignity and position which is as a rule pressed on them in the first instance as much for our advantage as for their own"

[*Jubbulpore Division Report, para.* 17.] "On the whole the Honorary Magistrates undoubtedly get through a large amount of useful work. Their weak point appears to be their disinclination to pass adequate sentences, especially in cases of offences against property. During the year, I found it necessary to call the attention of Deputy Commissioners to this matter, and to request that offenders under Chapter XVII of the Penal Code against whom a previous conviction was proved might be made over for trial to the Honorary Magistrates. The work which these officers are best suited for is the decision of cases of petty private injury. In relieving the stipendiary Magistrates of these cases, the investigation of which is frequently more troublesome than that of serious crimes, they perform an extremely useful function."

Bench system at Nagpur.

23. At Nagpur a change was made in the Bench system during the year, which is thus described in the Deputy Commissioner's report, para 7 :—

"Up to 22nd June, 11 Honorary Magistrates of the Nagpur City and Sitabaldi sat, 5 singly, and 6 in 3 Benches of two Magistrates each. From the 23rd idem, the 3 Benches were done away with, and one Bench of five Magistrates was established. The arrangement existing at the close of the year was therefore:—

Sitting singly at Nagpur.

3 First Class Magistrates.
1 Second Class Do.
1 Third Class Do.

Sitting as a bench in Nagpur.

5 Magistrates, any 2 of whom one being a 1st Class Magistrate form a quorum.

Sitting singly at Sitabaldi.

1 Third Class Magistrate"

Amendment of Act X. of 1872.

24. The new Procedure Code (Act X. of 1872) was amended during the year by Act XI. of 1874, but only in a few minor points.

Procedure.

25. Under the head of procedure the most important thing during the year has been the attempt which the Judicial Commissioner made to adjust the relations of the Police and the Magistracy in connection with the investigation of offences in better conformity with the principles of the Code of Criminal Procedure. Heretofore some of the more important provisions of that Code on the subject, especially those of sections 112, 114 and 125, have been habitually disregarded by the Police, but reform on this head has now been initiated under instructions which, with the Chief Commissioner's approval, have taken shape in the Inspector General Police's Circular XI. dated 3rd October 1874, and the Judicial Commissioner anticipates great benefit therefrom. This office Circular XXIV of the same date aimed at the correction of some other errors of procedure on the part of the Police and the Magistracy connected with the same subject, and relating especially to (1) the detention by Police Officers of accused persons in Police custody for longer periods than 24 hours; (2) the authorization by Magistrates of such detention without recording reasons therefor; (3) neglect on the part of Magistrates to distinguish between orders of detention under section 124 Code of Criminal Procedure and orders of remand under section 194 of the Code; and (4) want of care on the part of Magistrates in fixing the periods of detention or remand.

Better effect to the direction to accept bail under section 160 Code of Criminal Procedure, contained in warrants of arrest issued by Magistrates was secured by Inspector General Police's Book Circular I. of 1874 issued at the instance of the Judicial Commissioner. An objectionable practice had grown up in some districts of sending any constable who might be at hand to execute such warrants, and when the constable from being illiterate or unintelligent was un-

able himself to admit the person against whom the warrant was issued to bail, the practice was to arrest and bring him to the police station to be bailed there by the officer in charge of the station. Under the instructions of the Book Circular above cited, such warrants of arrest are now executed wherever practicable by a Police Officer who is himself capable either by ability to read or write, or by general intelligence of carrying out the direction to accept bail, and the object of the direction instead of being defeated by the prolonged arrest of the person against whom the warrant is issued, is effected, as it of course should be, at the earliest possible moment.

This Office Circular XXV, dated 5th November 1874, also drew attention to the advisability of Subordinate Magistrates being invested by Magistrates of districts, under Sections 23, 25, 27, 29, Code of Criminal Procedure, with power to hold inquests under Section 135 Code of Criminal Procedure. Ordinarily inquiry into the apparent cause of the unnatural or sudden death of any person is left to the Police to be made under Section 133 of the Code, but on the view that even the knowledge that a Magistrate might arrive to hold inquest himself might sometimes have a salutary effect on the Police proceedings. Magistrates of districts have now at the Judicial Commissioner's suggestion, conveyed in the above quoted Circular, invested a number of the Subordinate Magistrates in their districts with the necessary powers under Section 135 Code of Criminal Procedure.

Power to try summarily.

* 17 Assistant Commissioners, &c.
3 Extra Assistant Commissioners.
1 Tahsildar.

26. Besides officers now in the position of Magistrates of districts, 21* Magistrates are now empowered to try summarily. Out of 2,189 cases tried by Magistrates of districts, and 3,123 cases tried by other Magistrates invested with power to try summarily, 1,079 cases were tried by Magistrates of districts, and 1,519 by other Magistrates summarily as below.

District.	Total number of cases tried.		Number of cases tried summarily.		Remarks
	By the Magistrate of the district.	By Subordinate Magistrate with summary powers.	By the Magistrate of the district.	By Subordinate Magistrates.	
Nagpur ...	80	28	1	15	
Chanda ...	59	160	7	77	
Bhandara ...	63	...	18	...	
Wardha ..	70	...	27	...	
Balaghat ...	70	..	47	...	
Jubbulpore ..	65	989	5	585	
Saugor ..	344	460	235	243	
Damoh ...	127	...	31	...	
Seoni ...	237	131	116	54	
Mandla ..	25	134	10	67	
Hoshangabad ...	63	267	9	82	
Betul ..	162	...	93	...	
Narsinghpur	32	...	8	...	
Chhindwara ...	44	...	7	...	
Nimar ...	259	220	194	83	
Raipur ...	77	303	43	128	
Bilaspur ...	100	306	13	179	
Sambalpur ...	223	...	181	...	
Godavari ..	89	125	34	6	
Total...	2,189	3,123	1,079	1,519	

Of all Deputy Commissioners, it is seen that the Deputy Commissioner of Nagpur made least use of his power to try summarily. On the other hand some Deputy Commissioners such as the Deputy Commissioners of Seoni, Saugor, Betul, Nimar, Sambalpur, by means of that power were enabled to dispose quickly of a quantity of criminal business, which had they not possessed such powers might have had to be disposed of at a greater cost in time by subordinate Magistrates.

The Commissioner of the Jubbulpore Division has the following on the subject of summary trials :—

[*Jubbulpore Division Report, para.* 18.] "Much greater use has been made during the past year of the summary procedure, provided by Chapter XVIII of the procedure code. The number of cases thus disposed of, has been 1,346, or 16·9 per cent of the total number of cases against 558, or 6·1 per cent last year. The extent to which summary powers are used by the Deputy Commissioners themselves varies For instance, in Saugor and Seoni, Colonel Maclean and Captain Temple employed these powers largely, while they were litttle used by the other Deputy Commissioners. The reason no doubt is that in the two districts named, the Deputy Commissioners disposed of a number of minor offences which were triable under the summary procedure, while in the other districts, the Deputy Commissioners took up only cases of a serious nature, to which that procedure was either legally inapplicable or unsuitable. By subordinate Magistrates of the 1st class possessing these summary powers, the procedure was largely used * I am not of opinion that any pressure should be put upon Magistrates to induce them to use the procedure more freely. The procedure puts into their hands a great deal of irresponsible power, and they should, I think, be left to decide for themselves, to what cases they can satisfactorily apply it."

The Judicial Commissiouer entirely concurs. The Magistrates must themselves judge whether a case is one which they can try satisfactorily without making a formal record of the evidence of the witnesses, and the Judicial Commissioner is unaware of any pressure whatever having been put upon Magistrates to induce them to use the summary procedure more freely than they themselves are inclined. On the other hand there is reason to believe that the power is not used too freely by the Magistrates who are invested with it, and indeed that it is used only in petty cases. This may be judged of in a general way from the above table, also more particularly from the following extract from the report by the Deputy Commissioner, Chanda :—

[*Chanda District Report, para.* 51.] "84 cases, involving 156 persons, were summarily settled, *viz* .—

Under I P C	Cases	Persons.
379 to 381 ...	25 ...	31
" 448 ...	1 ...	3
" 411 ..	0 ...	1
" 504 ...	1 .	3
" 323 ...	4 ...	9
" 352 ..	8 ...	15
" 160 ...	4 ...	17
" 289 ...	1 ..	1
" 454 ..	1	1
" 266 ...	2 ...	4

* In two districts only, namely, in Jubbulpore and Saugor, *vide* table above.

" *Under special laws.*

		Cases.		Persons.
Act V. of 1861	...	18	...	27
Act XI. of 1873	..	7	...	7
Act X. of 1871	...	9	...	17
Act XXXI. of 1860	...	1	...	1
Act III. of 1867	...	1	...	17
Act XVIII. of 1869.	...	1	...	2
	Total	84		156

As to the procedure putting into Magistrates' hands "a great deal of irresponsible power" what is chiefly meant probably is that (1) it enlarges the sphere of unappealable sentences, and (2) it renders appealable cases especially unsusceptible of interference on the part of the Appellate Court; but that there is little or no danger of such irresponsible power being abused may be fairly assumed from the circumstance that (1) during the two years since the procedure came into effect (*a*) applications to the Judicial Commissioner's Court to revise the proceedings of summary trials have been at least as few proportionately as applications for the revision of proceedings in other trials, and (*b*) Appellate Courts have in no instance during that period seen fit to make any difficulty which they may have encountered in disposing aright of appeals by reason of the conviction appealed against having been held under the summary procedure, subject of special remark on complaint.

On the whole the Judicial Commissioner has come to think that summary procedure is most valuable, and that while the cases in which it is to be used must always be left to be discriminated by the Magistrates themselves, the power to use it may quite safely be conferred on 1st class Magistrates of approved ability, experience and discretion During his tour the Judicial Commissioner inspected registers of summary trials; the manner in which they were found to be maintained indicated careful procedure, and while nothing suggested that justice had not been as well done as it would have been done under a more diffuse procedure, the summary procedure was on all hands stated to have saved much valuable time.

Lock-ups.

27. The reports again contain notices of want of proper Magistrates' lock-ups for prisioners under trial, and the Judicial Commissioner has had complaints made to him on the subject during his tour. The following extracts from the local reports relate to the subject :—

[*Chanda District Report, paras.* 37, 38.] " The want of lock-ups at various police station-houses and out-posts, and of solitary cells in the Chanda jail, was noticed in last year's report on the criminal administration.

" Nothing has been done in these respects. The lock-ups most urgently required, have been again included in the list of works to be charged to provincial services submitted during the year."

[*Sambalpur District Report, para.* 13.] " The condition of the Court rooms I have already described in the Civil report, and I would now accordingly only note that no separate lock-up has been yet provided for under-trial prisoners. As I noted in last year's report, a proposition has been made that certain out-offices attached to the Deputy Commissioner's katcheri should be converted into a lock-up, and plans and estimates for the necessary alterations have already been prepared. I presume, however, that want of funds still prevents the work from being carried out, and meanwhile under-trial prisoners are confined in the jail, where there is at present ample room for their accommodation."

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C.—The Distribution of Business among the several classes of Courts.

In Magistrates' Courts.

28. Statement B 3 shows that 43,595 accused persons were dealt with by the Magistrates in the following proportions.

By Magistrates of districts 3,429 or 7·9 per cent, other stipendiary Magistrates 25,367 or 58·2 per cent; Honorary Magistrates 14,799 or 33·9 per cent. Further details are given in the following table :—

Districts.	Persons disposed of by.							Remarks.
	Deputy Commissioners.	Cantonment Magistrates, Assistant and Extra Assistant Commissioners, at District Head Quarters.	Tahsildars at District Head Quarters.	Honorary Magistrates at District Head Quarters.	Stipendiary Magistrates in the interior of districts.	Honorary Magistrates in the interior of districts.	Total	
Nagpur ...	129	1,375	340	1,695	871	*1,748	6,158	* 1,188 in Kamthi.
Chanda ...	89	476	...	...	988	112	1,665	
Bhandara ...	111	338	107	782	703	14	2,055	
Wardha ..	108	583	26	...	578	1,219	2,514	
Balaghat ..	102	619	154	...	191	59	1,125	
Jubbulpore ...	104	2,088	106	790	615	640	4,343	
Saugor ...	660	837	297	955	987	1,128	4,864	
Damoh ...	202	306	83	355	92	41	1,079	
Seoni ...	504	317	418	198	590	56	1,883	
Mandla ..	42	209	113	39	227	68	698	
Hoshangabad ...	139	649	164	163	1,039	1,895	4,049	
Betul ...	225	266	555	56	425	248	1,775	
Narsinghpur ..	52	681	103	172	186	1,081	2,275	
Nimar ..	340	533	10	..	443	298	1,624	
Chhindwara ..	83	200	417	...	325	172	1,197	
Raipur ..	111	780	490	415	985	272	3,053	
Sambalpur ...	295	231	226	...	322	...	1,074	
Bilaspur ...	184	774	182	...	475	128	1,743	
Upper Godavari ...	119	247	...	...	25	...	421	
Total 1874 ...	3,429	11,509	3,791	5,620	10,067	9,179	43,595	
Percentage do. ..	7·9	26·4	8·7	12·9	23·1	21·0	100	
Total 1873 ...	3,763	13,404	3,718	7,509	9,714	11,128	49,236	
Percentage do. ...	7·6	27·3	7·5	15·2	19·7	22·7	100	

Business disposed of by Magistrates of districts.

29. It will be seen that Deputy Commissioners disposed of rather fewer persons in 1874 than in 1873.

The Deputy Commissioners of Saugor, Seoni, Betul, Nimar, and Sambalpur took a larger share than other Deputy Commissioners of criminal business. If Deputy Commissioners were to dispose of more cases than they do of a kind to which summary procedure might be appropriate they would doubtless be able to give relief to hard-worked Subordinate Magistrates far more than commensurate with the additional labour taken on themselves.

Business disposed of by other stipendiary Magistrates.

30. Assistant Commissioners, &c., at head-quarters also disposed of considerably fewer persons during the year than in the previous year, although Tahsildars at head-quarters disposed of rather more. In the interior of districts work seems to have

shifted from the Honorary Magistrates to the stipendiaries. The 3,429 persons whom Magistrates of districts disposed of appertained to 2,188 cases, out of which 1,079 were tried summarily as already detailed in para. 26 above.

Business disposed of by Honorary Magistrates.

31. Last year it was noted that the distribution of business among the Nagpur Honorary Magistrates appeared to have been imperfectly regulated, it would still appear to be so, and the Commissioner has been specially addressed on the subject; the method adopted by the Deputy Commissioner as described in his report appearing in some respects materially defective.

The following table contains the names of Honorary Magistrates who have rendered most assistance to the Administration during the year :—

District	Town or residence of Honorary Magistrate.	Name of Honorary Magistrate.	Class.	Number of accused persons disposed of by each Honorary Magistrate.
	A.—At District Head Quarters.			
Nagpur ...	Nagpur ...	Raja Suleman Sha ...	1st Class.	475
Do. ...	Do. ...	G. Ramiah, Rai Bahadur ...	3rd Class.	340
Bhandara ...	Bhandara ..	Yado Rao ..	1st Class.	662
Jubbulpore ...	Jubbulpore ...	J. Watts, Esq. ...	2nd Class.	412
Do. ...	Do. ...	Baba Balwant Rao ..	Do.	378
Saugor ...	Sangor ...	Luchman Rao ...	3rd Class.	395
Do. ...	Do. ..	Kishan Rao ..	Do.	323
Do. ..	Do. ...	Ramchand Rao ...	Do.	227
Damoh ...	Damoh ...	Thakur Sheolal Singh ...	2nd Class.	208
Raipur ...	Raipur ...	Rajaram Tiwari ...	Do.	415
	B.—At places in the interior of districts where there is also a Stipendiary Magistrate.			
Nagpur ...	Kamthi ...	Abirchand, Rai Bahadur ...	2nd Class.	800
Do ...	Do. ...	Bhanudass Naidu ..	Do.	388
Wardha ...	Hinganghat ...	Sunder Narayan ...	3rd Class.	478
Hoshangabad ...	Harda ...	Mahomed Amin ...	Do.	309
Betul ...	Badnur ...	Gholam Husein ..	Do.	248
Narsinghpur ...	Gadarwara ...	Seth Sheobaksh (deceased) ...	Do.	391
	C.—At places in the interior where there is no Stipendiary Magistrate.			
Nagpur ...	Dhapiwara ...	Govind Singh Jamadar ...	2nd Class.	305
Do. ...	Digras ...	Trimbak Rao Nana Kalatkar ...	Do.	255
Wardha ...	Ashti ...	Nawab Wahid Khan ..	Do.	312
Do ...	Deoli ...	Ram Rao Deshmukh ...	3rd Class.	297
Jubbulpore ...	Belkhera ...	Thakur Cheyt Singh ..	2nd Class.	374
Saugor ...	Khamlassa ...	Damodhar Rao ...	Do.	323
Do. ...	Raseena ...	Rajaram Havildar ...	3rd Class.	310
Do. ...	Gurhakota ...	Rajai Dubi ...	Do.	293
Hoshangabad ...	Khaperkora ...	Dhanraj Seth ...	Do.	305
Do. ...	Gowara ...	Ramlaksh Diwan ..	Do.	265
Narsinghpur ..	Piparia ..	Thakur Bhopal Singh ..	2nd Class.	407
Do. ...	Imjira ...	Raja Manbodha Singh ...	3rd Class.	236

Committals to Courts of Session.

32. 165 persons were committed to the four Courts of Session during the year.

D.—The Action of the Tribunals of Original Jurisdiction on accused persons under inquiry or trial before them.

General result.

33. Of the total 43,843 persons under inquiry or trial during the year, 15,199 were acquitted or discharged, and 28,260 convicted; while 184 died, escaped, or were transferred, and 200 remained under trial at the close of the year.

Results under selected offences.

34. The following table shows the proportion of persons convicted under the principal headings of offence.

Selected offences.		Number of persons disposed of by discharge, acquittal or conviction.	Convicted.		
Number (Statement B2).	Description.		Number.	Percentage in 1874.	Percentage in 1873.
8, 9	Counterfeiting, diminishing or altering coin ...	11	8	73	70
10	Passing or possessing bad or altered coin	47	33	70	61
11, 12, 13	Counterfeiting or selling counterfeit Government stamps or using as genuine counterfeit stamps ...	12	6	50	40
15	Personating public servant or soldier	42	33	78	85
17	Omitting to give information of offence or giving false information	214	166	77	74
32 to 43	Offences by public servants	117	76	65	64
44, 45	Giving or Fabricating false evidence	109	53	49	62
51	Forgery or fradulently using or possessing forged documents	56	25	45	38
53	Public nuisances under Penal Code	338	284	84	87
54	Nuisances under Police, Municipal or Cantonment Acts.	2,438	2,192	89	94
55	Rioting or unlawful assembly	243	182	74	70
60 to 66	Murder	103	48	47	30
68	Culpable homicide	61	35	57	48
90	Adultery	164	41	25	21
91	Rape	59	29	49	28
93	Hurt	3,270	1763	54	54
97	Assault or use of criminal force	10,742	4,270	40	37
98	Criminal intimidation or insult	1,586	759	48	45
101	Defamation	514	154	30	28
103	Dacoity	74	59	80	58
105 to 109	Robbery	80	53	66	51
110	Extortion	74	43	58	38
111	House-breaking or house-trespass in order to commission of theft	2,150	1,761	82	80
115	Theft of cattle	1,493	1,190	80	79
116	Theft ordinary	6,864	5,740	84	81
117	Dishonestly receiving stolen property	662	477	72	69
118	Dishonest misappropriation of property... ...	266	178	66	71
119	Criminal breach of trust	321	198	62	66
120	Cheating	275	127	46	40
121	Mischief ordinary	440	197	45	50
124	Mischief serious by fire	32	16	50	33
126	Criminal trespass or house-trespass	1,468	922	62	62
134, 135	Vagrancy, bad habit and repute	818	593	72	68
140	Breaches of law relating to cattle trespass ...	493	294	59	55
147	Do. Forests	683	563	82	75
148	Do. Gambling	491	443	90	90
159	Do. Railways	77	60	78	89
161	Do. Salt and saltpetre	508	492	97	98
163	Do. Spirits and drugs	763	626	86	82
164	Do. Stamps	452	366	81	76

Counterfeiting, diminishing or altering coin

35. Eight persons were convicted out of 11 prosecuted. Four persons belonged to the Bilaspur, 2 to the Wardha, and 2 to the Nagpur district; the cases are not specially noticed in the reports, and were probably not of a serious character.

Passing or possessing bad or altered coin.

36. 33 persons were convicted out of 47 prosecuted; 8 persons convicted belonged to the Jubbulpore, 7 to the Nimar, and 5 to the Raipur district. In one case in the Nimar district "a Bunnyah of Burhanpur brought some counterfeit Queen's rupees from Berar and tried to get his 'Assamees' to take them at 50 per cent discount, and pass them as current." He was convicted.

The Commissioner Jubbulpore Division in para. 6 of his report remarks,—

> "The offences relating to coin were of a simple character, consisting in rubbing copper coins with quicksilver and passing them off as silver at night, or in crowded places. It is possible that offences of this description are more frequent than is apparent from the statement. They are naturally seldom reported, unless the deception is at once detected, and the offender apprehended. Having regard to the impunity with which the offence can be committed, the offender upon conviction should be severely dealt with."

Two years' imprisonment for passing four out of thirteen quicksilvered copper pice; one year's imprisonment for passing one out of two quicksilvered half anna pieces; one year's imprisonment for passing a quicksilvered pice; three years' imprisonment for passing a quicksilvered pice,—are instances of punishments inflicted for offences of this class which have come under the Judicial Commissioner's notice during the year under report and previously; and consideration of the impunity with which like many other offences petty cheating by means of a quicksilvered copper coin may occasionally be committed, has not seemed to the Judicial Commissioner to justify their severity.

Using as genuine counterfeit stamps or effacing or altering the same.

37. 12 persons were prosecuted; 2 persons convicted in each of the districts of Nagpur and Jubbulpore, and one in each of the districts of Wardha and Betul. In Betul, the conviction was "for making use of a defaced service stamp on a private communication." The character of the other cases has not been made subject of notice in the reports.

Personating public servant or soldier.

38. 33 persons were convicted out of 42 prosecuted; 6 persons were convicted in the Betul, 5 in the Mandla, and 3 persons in each of the districts of Wardha, Jubbulpore, Raipur and Bilaspur. The Deputy Commissioner of Betul explains the convictions in his district as follows, para. 29:—

> "persons were brought up for trial under this head and convicted. Three of these personating themselves as a Jamadar and Peons, demanded compulsory labour; one for demanding a fee of half anna per plough from the cultivators, informing them that he had been sent by the Deputy Commissioner, and had his authority to levy the same. The other two also did the same, giving themselves out as Government servants."

Omitting to give information of an offence or giving false information.

39. 166 persons were convicted out of 214 prosecuted; 19 persons were convicted in the Hoshangabad district, 18 persons in each of the districts of Chanda and Saugor, and 15 in each of the districts of Nimar and Bilaspur.

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48. 154 persons were convicted to 514 prosecuted; in Chanda out of 17 persons prosecuted none were convicted; and in Seoni, only 3 persons were convicted out of 23 prosecuted.

Defamation.

49. 59 persons were convicted out of 74 prosecuted; 16 persons were convicted in each of the districts of Hoshangabad, and Chhindwara, and 15 in the Wardha district. The convictions in the Seoni district were for a dacoity committed 17 years ago as described by the Deputy Commissioner (para 39.)

Dacoity.

"This was a case which occurred in the Keolaree Circle in September 1857, when one Fakira Mehra was beaten and wounded with a sword and plundered of Rupees 422 and a large quantity of property. Fakira had recognized 3 of the gang, but none of them were arrested at the time. There names were proclaimed and a reward of Rupees 100 offered for the arrest of each of them. The two survivors have now been arrested, challaned and convicted and sentenced to 3 months' rigorous imprisonment and fine of Rupees 250 each."

50. The proportion of convictions has again improved; it was 74 per cent in 1872, 80 per cent in 1873, and is now 82 per cent.

House-breaking or house-trespass in order to commit theft.

51. 5,740 persons were convicted out of 6,864 persons prosecuted. The proportion of convictions has improved from 81 per cent in 1873, to 84 per cent in 1874.

Theft.

52. 477 persons were convicted out of 662 persons prosecuted; convictions were low in the Jubbulpore (52 per cent), Damoh (59 per cent), Chhindwara (58 per cent), and Balaghat (65 per cent) districts.

Dishonestly receiving stolen property.

53. Contrasted with the large number of prosecutions for theft, prosecutions under this head continue to seem few. They were most numerous in the Raipur, Chanda, and Wardha districts.

Dishonest misappropriation of property.

54. 818 persons were brought up against 602 in 1873, and 388 in 1872, and the proportion from whom security was required rose from 69 per cent in 1873, to 72 per cent in 1874.

Vagrancy and bad habit and repute

Details have already been given in para. 10 above, where it has already in effect been stated that in the Nagpur district, security was required in a number of instances where the requisition was not legally warranted, and that circular instructions calculated specially to guard against recurrent abuse of the law on the subject have had to be issued.

55. 563 persons were convicted out of 683 prosecuted; both prosecutions and convictions have increased as compared with 1873. The increase is most marked in the Betul district, where "103 persons were prosecuted to conviction during the year against 36 in 1873."

Breaches of the law relating to forests.

E.—Punishments.

56. The following table compares the *kinds* of punishment inflicted by all Courts together for the year 1873 74 :—

Kinds of punishments.

			1874. Persons.	1873. Persons.
a. Fined.	Fined only.	...	17,369	19,582
	Fined and whipped.	...	20	14
	Total	...	17,389 or 63·3 per cent of total punished.	19,596 or 64·8 per cent of total punished.
b. Imprisoned.	Imprisoned only	...	5,195 or 18 9 per cent	5,979 or 19·8 per cent
	Do. and fined	...	1,878 or 6·9 do.	1,793 or 5 9 do.
	Do. and whipped with or without fine.		453 or 1·6 do.	505 or 1·7 do.
	Total	...	7,526 or 27·4 per cent of total punished.	8,277 or 27·4 per cent of total punished.
c. Whipped...	Whipped only	...	2,545 or 9·3 per cent of total punished.	2,310 or 7·8 per cent of total punished.
d. Transported.	Transported (terms.)		0	0
	Do. (life.)		19	15
	Total	...	19	15
e. Death	...	...	28	24
	Total	...	27,507	30,222

The only noticeable features in the above abstract are a diminution (1·5 per cent) in the proportion of persons sentenced to fine only, and an increase (1·5 per cent) in the proportion of persons whipped.

The diminished proportion of persons sentenced to fine, appears to be due to more frequent resort to the punishment of imprisonment, in cases in which fine would have been imposed in 1873, this increase in the proportion of sentences of imprisonment being counterbalanced by more free resort to whipping in cases which would in 1873 have been punished with imprisonment.

The increase in the proportion of persons whipped is doubtless owing to the amendment of Section 302 Code of Criminal Procedure, by Act XI of 1874, for whereas formerly it was necessary to forward a person sentenced to whipping to the officer in charge of the Jail of the district in which the trial was held, for execution of the sentence, a sentence of whipping may now be executed at such place and time as the Court may direct.

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57. The following table shows the proportion of persons sentenced by Magistrates in the several districts to fine, imprisonment, and whipping :—

Punishments according to districts.

Districts.	Total number of persons sentenced to fine, imprisonment and whipping.	Sentenced to fine only.		Sentenced to whipping only.		Sentenced to imprisonment.		Detail of sentences of imprisonment.					
								Imprisonment only.		Fine in addition to imprisonment.		Whipping in addition to imprisonment.	
		Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 2.	Number of persons.	Percentage of total in column 7.	Number of persons.	Percentage of total in column 7.	Number of persons.	Percentage of total in column 7.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ...	3,290	2,511	76·3	108	3·3	671	20·4	492	73·3	146	21·8	33	4·9
Chanda ...	1,110	653	58·8	114	10·3	343	30·9	216	62·9	109	31·8	18	5·3
Bhandara ...	1,162	688	57·5	182	15·7	312	26·8	210	67·3	64	20·5	38	12·2
Wardha ...	1,489	1,154	77·5	40	2·7	295	19·8	242	82·	42	14·2	11	3·8
Balaghat ...	693	277	39·9	182	26·4	234	33·7	174	74·3	55	23·5	5	2·2
Jubbulpore ...	2,722	1,715	63·	245	9·	762	28	536	70·3	178	23·4	48	6·3
Saugor ...	3,287	2,212	67·3	294	8·9	781	23·8	492	63·	222	28·4	67	8·6
Damoh ...	692	394	57·	48	6·9	250	36·1	172	68·8	50	20·	28	11·2
Seoni ...	1,073	569	53·	129	12·	375	35·	279	74·4	77	20·5	19	5·1
Mandla ...	450	145	32·2	143	31·8	162	36·	134	82·7	17	10·5	11	6·8
Hoshangabad ...	2,357	1,776	75·3	78	3·3	503	21·4	301	59·8	179	35·6	23	4·6
Betul ...	1,200	747	62·3	101	8·4	352	29·3	185	52·6	144	40·9	23	6·5
Narsinghpur ...	1,617	1,021	63·1	91	5·6	505	31·3	371	73·5	102	20·2	32	6·3
Nimar ...	1,134	769	67·8	76	6·7	289	25·5	231	79·9	51	17·6	7	2·5
Chhindwara ...	734	476	64·8	34	4·6	224	30·6	111	49·6	93	41·5	20	8·9
Raipur ...	2,124	1,199	56·5	237	11·1	688	32·4	525	76·3	133	19·3	30	4·4
Sambalpur ...	848	381	44·9	220	26·	247	29·1	151	61·1	80	32·5	16	6·4
Bilaspur ...	1,158	457	39·5	233	19·2	478	41·3	338	70·6	117	24·5	23	4·9
Upper Godavari ...	300	245	81·7	...	...	55	18·3	35	63·7	19	34·5	1	1·8
Total ..	27,440	17,369	63·3	2,545	9·3	7,526	27·4	5,195	69·	1,878	25·	453	6·

58. In the Wardha, Nagpur, and Hoshangabad districts, the proportion of whippings (only) is seen to be exceptionally low, and that of fines (only) exceptionally high. In these districts also the proportion of persons sentenced to imprisonment is lowest.* In the Nagpur district the punishment of fine (only) increased nearly 6 per cent as compared with 1873. The Deputy Commissioner explains that some portion of the increase was due to the large number of petty offences tried under Police and Municipal Acts, but a portion of the increase was real, and arose from an undue resort to this punishment by several of the Courts. And he instances six of the Sub-Magistrates Courts in which from 78 to 92 per cent of the persons convicted were punished with fine only. Again as regards the number of persons whipped, the Deputy Commissioner writes: "the decrease under 'whipped' appears remarkable when the change in the law regarding the mode of inflicting this punishment was intended to make resort to this punishment more easy, but the cause not improbably lies in the difficulty of obtaining a Medical Officer, save at the Central Jail, to be present during the infliction." The same difficulty occurs in all districts, also the presence of a Medical Officer is not absolutely necessary, though doubtless everywhere Magistrates may, to a certain extent, be deterred from passing a sentence of whipping when no Medical Officer can be present at its infliction.

Special results in districts.

* Excluding the Upper Godavari District.

The Deputy Commissioner of Wardha apparently attributes the high proportion of fines to the undue preference shown by his Honorary Magistrates to this class of punishment, and to the increase in breaches of special laws, and the low proportion of whippings to a want of recognition on the part of some Magistrates of the expediency of this punishment for offences for which it can be awarded; and judging from the returns, it might be said that fine was too frequently, and whipping and (perhaps) imprisonment too rarely inflicted in the Wardha district.

Imprisonment only was awarded in highest proportion in the districts of Wardha, Mandla, Nimar and Raipur; fine in addition to imprisonment was most frequently awarded in Chhindwara, Hoshangabad, and Betul; and whipping in addition to imprisonment most frequently in Bhandara, Damoh, and Chhindwara.

Other kind of punishment shown in Statement III. suggest the following remarks :—

59. Solitary confinement was ordered in the case of 918 persons against 776 in 1873. This is satisfactory, but the propriety of giving such orders is still sometimes overlooked in some districts. Thus in the Nagpur District 333 persons were sentenced to rigorous imprisonment exceeding two months, and 136 persons to rigorous imprisonment exceeding six months. Yet solitary confinment was only ordered in 54 instances; similarly in Jubbulpore 161 persons were sentenced to rigorous imprisonment exceeding six months, yet solitary confinement was only ordered in 88 instances. The following extracts will show that attention is being directed to the subject.

Solitary confinement.

[*Jubbulpore Division Report para.* 24.] "Solitary confinment was awarded as follows :—

	1873.	1874.
Jubbulpore	68	88
Saugor	98	182
Damoh	36	51
Seoni	62	34
Mandla	24	2

"The only district in which recourse has been had to this punishment to a satisfactory extent is Saugor. In Jubbulpore the figure is unduly low. In the Mandla Jail there are no solitary cells. Hence the Magistrates of that district are debarred from the use of this punishment."

[*Narbada Division Report para.* 33.] "The number sentenced to solitary confinement is shown below:--

	1873.	1874.
Hoshangabad	8	26
Narsinghpur	25	67
Nimar	27	12
Chhindwara	39	43
Betul	103	73

"The decrease in Nimar was held unsatisfactory last year by Mr. Low, so that a further large decrease in 1874 was not to have been expected. Colonel Playfair explains it by saying that he has only a make-shift accommodation for solitary confinement: but I scarcely think this satisfactory. The increase in Hoshangabad is good, but still more is required.

"The Deputy Commissioner, Narsinghpur, thinks the increase from 25 to 67 'a little improvement,' but that much more is needed. The last conclusion is somewhat questionable."

"The Deputy Commissioner of Betul writes that on reviewing the Quarterly Statements he found some Magistrates who had the power did not use it, but that this has been remedied. But *prima facie* the figures for this district, though much below 1873, are somewhat high."

Compensation to injured parties.

60. Fines were imposed on 19,267 persons and the whole or part of the fine was ordered to be paid to 1,982 persons as compensation under Section 308 Code of Criminal Procedure. This is better than in 1873, when 21,399 persons were fined and compensation was only paid to 1,707 persons under Section 308 Code of Criminal Procedure.

As remarked in last year's report the provision of the law in this behalf appears to have been again somewhat overlooked in the Nagpur, Wardha, Hoshangabad and Betul districts.

Compensation for frivolous and vexatious complaints.

61. Compensation for frivolous and vexatious complaints was awarded in 702 instances under Section 200 Code of Criminal Procedure. It was awarded in 629 instances in 1873. It should have been awarded more frequently, notably in Nimar, which has only 11 instances, Raipur which has only 19 instances, and in Jubbulpore, Narsinghpur and Wardha.

Degrees of punishment of fines.

62. As regards degrees of punishment, the following table is offered regarding fines in all Courts :—

Grades of Fine.	1873.		1874.	
	Number of persons fined.	Percentage to whole.	Number of persons fined.	Percentage to whole.
Rupees 5 and under	16,826	78·7	14,857	77·1
" 5 to 20	3,470	16·2	3,450	17·9
" 20 to 50	897	4·2	804	4·2
Above Rupees 50	206	·9	150	·8
Total ...	21,399	100·	19,261	100·

It is here seen that fines have increased in a slight proportion in the lower grades, and this the Judicial Commissioner believes to be the right tendency. That which appears to the Magistrate to be a comparatively trifling sum of money, is often an unduly heavy fine on a very poor offender.

63. The relative proportion of Magisterial fines under each grade in each district, are compared in the following table :—

Degrees of fine in different districts.

Districts.	Percentage of Fines.			
	Rupees 5 and under.	Above Rupees 5 to Rupees 20.	Above Rupees 20 to Rupees 50.	Above Rupees 50.
Nagpur	82·6	12·7	4·	·7
Chanda	83·9	13·1	2·[illegible]	·6
Bhandara	83·6	14·1	2·1	·2
Wardha	82·8	14·1	2·7	·4
Balaghat	79·8	16·	4·2	·0
Jubbulpore	77·9	16·8	4·7	·6
Saugor	67·7	27·8	3·7	·8
Damoh	67·4	23·4	8·3	·9
Seoni	69·	22·	6·7	2·3
Mandla	60·5	29·6	7·4	2·5
Hoshangabad	77·	17·9	3·9	1·2
Narsinghpur	75·2	20·7	3·7	·4
Nimar	72·6	20·	6·9	·5
Betul	77·6	16·1	5·2	1·1
Chhindwara	77·8	19·7	2·3	·2
Raipur	81·1	14·	4·7	·2
Bilaspur	75·2	18·1	4·5	2·2
Sambalpur	77·7	17·6	4·5	·2
Upper Godavari	88·3	9·8	·8	1·1
Total average ...	77·1	17·9	4·2	·8

Abstract Statement of realization of fines.

64. The following account is compiled from Statement IV :—

Dr.	Rs.	Cr.	Rs.
Fines outstanding at the close of 1873	1,05,131	Fines realized during 1874 ...	1,10,685
Imposed in 1874	1,25,312	Reversed by Superior Courts ...	6,402
		Struck off as unrealizable ...	32,861
		Outstanding at the close of 1874...	80,525
Total ...	2,30,473	Total ...	2,30,473

Comparatively few of the outstanding fines are found to be realizable, but realization of currently imposed fines continue to be about as good as possible, being about 92 per cent. The fine registers are being gradually disencumbered of lapsed fines and work admirably.

Degrees of whipping.

65. The sentences of whipping compare as follows with those in 1873 :—

Sentenced to—	1873.		1874.	
	Number of persons.	Percentage of total whipped.	Number of persons.	Percentage of total whipped.
10 stripes or less ...	798	28·4	719	23·9
11 to 20 stripes ...	1,321	47·	1,574	52·5
20 to 30 " ...	692	34·6	706	23·6
Total ...	2,811	100·	2,999	100·

Degrees of whipping in different districts.

66. The proportion sentenced in each district to the two extreme grades of stripes are compared in the following table :—

Districts	Total persons sentenced to whipping.	Sentenced to 10 stripes or less.		Sentenced to more than 20 stripes.	
		Number of persons.	Percentage.	Number of persons.	Percentage.
Nagpur ...	141	43	30·5	26	18·4
Chanda ...	132	36	27·2	38	28·7
Bhandara ...	220	80	36·3	18	8·2
Wardha ...	51	18	35·3	5	9·8
Balaghat ...	187	33	17·6	15	8·
Jubbulpore ...	293	64	21·8	74	25·2
Saugor ...	361	60	16·6	108	29·9
Damoh ...	76	11	14·4	46	60·5
Seoni ...	148	30	20·3	42	28·3
Mandla ...	154	52	33·7	55	35·7
Hoshangabad ...	101	40	39·6	11	10·9
Betual ...	124	28	22·5	15	12·1
Nimar ...	83	10	12	30	36·1
Narsinghpur ...	123	34	27·6	22	17·8
Chhindwara ...	54	15	27·7	14	25·9
Raipur ...	267	72	26·9	69	25·8
Sambalpur ...	236	57	24·1	8	3.4
Bilaspur ..	246	36	14·6	108	43·9
Upper Godavari ...	1	...	...	1	100·
Total ...	2,998	719	23·9	705	23·5

These tables show that whippings have increased in severity up to 20 stripes, but that the proportion of persons sentenced to more than 20 stripes is slightly lower. Great variations in the infliction of this punishment are observable in different districts. Damoh shows 60 per cent as sentenced to more than 20 stripes, Sambalpur 3·4 per cent, Hoshangabad 39 6 per cent sentenced to less than 10 stripes, Nimar only 12 per cent. The following are the remarks of the Commissioner, Jubbulpore Division, on the subject (para. 32): —

" The sentences of whipping compare as follows with those in 1873

District	Sentenced to—	1873. Number of persons	1873. Percentage of total whipped.	1874. Number of persons	1874. Percentage of total whipped.	Number of juvenile offenders.
Jubbulpore ..	10 stripes or less.	54	18 5	64	21 8	18
	11 to 20.	138	47 3	155	52·9	...
	20 to 30.	100	34·2	74	25 3	...
Saugor ...	10 stripes or less.	66	18·	60	16 6	18
	11 to 20.	174	47 4	193	53 4	5
	20 to 30.	127	34 6	108	30·	...
Damoh ..	10 stripes or less.	17	18 3	11	14 4	2
	11 to 20.	53	57	19	25·	1
	20 to 30.	23	24 7	46	60 6	...
Seoni ...	10 stripes or less	78	40 8	30	20 2	20
	11 to 20.	77	40 3	76	51 3	...
	20 to 30.	36	18 8	42	28 4	...
Mandla ...	10 stripes or less	38	24 8	52	33·8	1
	11 to 20.	56	36 6	47	30 6	...
	20 to 30.	59	38 6	55	35 6	...

" This seems to me an unsatisfactory statement. The percentage for the Division, of sentences in which 10 stripes or less were inflicted is 21·0, and of sentences in which 20 stripes or less were inflicted is 68·5. Thinking that the majority of these sentences might have been inflicted on juvenile offenders I called for the figures, and they are shown in the last column of the statement It will be observed that the number of such sentences is only a small portion of the whole. The mistaken leniency referred to in paragraph 24 of the Chief Commissioner's remarks on the Report of last year still therefore exists. It is evident that whipping is of no use as a deterrent unless it is administered in such a way as to make the offender feel it and dread it. Putting aside the case of juvenile offenders, a sentence of a few stripes to a robust adult thief is no punishment at all. On the other hand, if a thief is not robust, he is not a subject for corporal punishment. and should be imprisoned. My conclusion then is that, 30 stripes being the maximum punishment, the infliction of less than 20 stripes on adult offenders ought to be exceptional. The attention of Deputy Commissioners has been called to the subject.

Degrees of imprisonment.

67. The degrees of imprisonment inflicted during 1873 and 1874 by all Courts taken together, are compared in the following table :—

Terms of imprisonment.	1873.		1874.	
	Number of persons imprisoned.	Percentage of whole.	Number of persons imprisoned.	Percentage of whole.
Not exceeding 15 days ..	1,527	18·6	1,302	17·2
Ditto 2 months ..	2,696	32·6	2,569	33·8
Ditto 6 ditto ..	2,790	33·7	2,464	32·5
Ditto 2 years ..	1,078	13·	1,089	14·4
Ditto 7 ditto ..	186	2·1	161	2·1
Total ..	8,277	100·	7,585	100

Degrees of imprisonment in different districts.

68. The following table illustrates the subject for each district separately :—

Districts.	Total persons sentenced to imprisonment.	Proportion to total punished.	Percentage of imprisonment			
			Above six months	Six months and under.	Two months and under.	Fifteen days and under.
Nagpur	671	19·3	20·3	29·6	31·6	18·5
Chanda	343	30·8	17·2	27·7	35·	20·1
Bhandara	312	26·4	17·9	29·2	26·3	26·6
Wardha	295	19·4	16·6	21·7	33·2	28·5
Balaghat . ..	234	33·3	15·4	31·6	42·3	10·7
Jubbulpore	762	27·2	21·1	28·5	31	16·4
Saugor	784	23·6	10·9	37·	32·4	19·7
Damoh	250	36	29·6	35·6	24	10·8
Seoni	375	31·5	11·2	43·2	40	5·6
Mandla	162	35·	3·1	48·1	35·2	13·6
Hoshangabad	503	21·	15·5	28·	34·4	22·1
Betul	352	28·3	14·5	44	31·3	10·2
Nimar	289	24·8	20·1	26·6	38·8	14·5
Narsinghpur	505	31·	14·1	35·4	30·5	20·
Chhindwara	224	30·3	28·6	36·1	28·6	6·7
Raipur	688	31·5	8·6	36·6	40·1	14·7
Sambalpur	247	28·7	10·9	30·8	37·7	20·6
Bilaspur	478	41·1	17·2	28·	34·9	19·9
Upper Godavari	55	18·2	21·8	14·5	36·4	27·3
Total proportion in Magistrates' Courts ..	7,526	26·7	16·	32·7	34·	17·3

As was observed in last year's report the proportion of imprisonments for 15 days and under in Bhandara, and Wardha, appears to be somewhat large, but the proportion in both districts has improved since last year.

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The percentage of sentences of imprisonment above six months is highest in Damoh (29·6), Chhindwara (28·6) and Jubbulpore (21·1); and lowest in Mandla (3·1), Raipur (8·6), Sambalpur (10·9) Saugor (10·9), and Seoni (11·2). The Commissioner, of the Jubbulpore Division has the following remarks on the subject (paras 27--29.)

"The following table exhibits the degrees in which imprisonment was awarded in different districts :—

Statement showing percentage of persons imprisoned for different periods.		1873.		1874.	
		Number of persons imprisoned.	Percentage to whole number of sentences of imprisonment.	Number of persons imprisoned.	Percentage to whole number of sentences of imprisonment.
Not exceeding 15 days..	Jubbulpore ...	154	19·6	125	16·3
	Saugor ...	157	20·7	154	19·7
	Damoh ...	42	11·8	27	10·8
	Seoni ..	64	15·1	21	5·6
	Mandla ...	15	7·3	22	13·5
		432	16·3	349	14·8
Not exceeding 2 months..	Jubbulpore ...	256	32·6	259	34·0
	Saugor ...	270	35·6	253	32·3
	Damoh ...	146	41·0	60	24·0
	Seoni ...	159	32·5	150	40·0
	Mandla ...	54	26·3	59	35·1
		885	34·1	779	33·4
Not exceeding 6 months..	Jubbulpore ..	253	32·2	217	28·5
	Saugor ...	229	30·2	289	37·0
	Damoh ..	107	30·0	89	35·6
	Seoni ...	193	39·4	162	43·2
	Mandla ...	96	46·8	78	48·1
		878	33·8	835	35·8
Not exceeding 2 years ...	Jubbulpore ..	113	14·4	153	20·1
	Saugor ...	99	13·0	80	10·2
	Damoh ...	52	14·6	72	28·8
	Seoni ...	59	12·9	34	9·0
	Mandla ...	38	18·5	3	1·8
		361	13·9	342	14·6
Not exceeding 7 years ..	Jubbulpore ...	8	1·0	8	1·0
	Saugor ...	3	·4	5	·6
	Damoh ...	9	2·5	2	·8
	Seoni ...	14	2·9	8	2·1
	Mandla ...	2	1·9	2	1·2
		36	1·3	25	1·

"This statement shows a slight decrease in the sentences under 15 days, and a slight increase in those over 6 months and under 2 years, and is so far satisfactory; but the number of sentences over 2 years has decreased from 36 to 25, and is no doubt unduly small. The fact is, as I have already had occasion to remark, the terrors of the law are not properly put in force against the really criminal classes of the country; *i. e.* the offenders against property. During the year my attention was drawn to the inadequacy of certain sentences passed upon persons convicted under Chapter XVII. of the Penal Code against whom previous convictions under that chapter had been proved, and I called for a return of all such sentences passed during the year 1873. This return disclosed a general inadequacy of punishments on habitual offenders. Section 75 of the Penal Code was never put in operation, and the provisions of Section 315 of the Procedure Code appeared to have escaped notice altogether. I called the attention of the Deputy Commissioners to the matter, and suggested that in future no case under Chapter XVII. in which a previous conviction was proved against the accused should be tried by a Magistrate with less than 2nd class powers; and that persons against whom two previous convictions were proved should ordinarily be placed for trial before the Magistrate of the district. Better results may be hoped for next year. A return similar to the return above mentioned has been compiled for each district for the year 1874, and is herewith submitted.

"I would draw attention to the following cases:—

In the Jubbulpore return :—

"Nos. 9 and 11. In these cases the offenders were sentenced to only eighteen months' imprisonment for theft after having each suffered *five* previous convictions.

"No. 45. A sentence of three months was passed on a *fifth* conviction.

"No. 62. For his first offence, prisoner received 6 stripes, for his second 12 stripes, for his third 3 stripes, for his fourth 25 stripes, only on his fifth conviction did he receive two years' imprisonment.

"No 114. For his first *five* offences, prisoner suffered only stripes ranging in number from 6 to 20, only on his *sixth* conviction did he receive two years' imprisonment."

In the Saugor return :—

"No. 37. Prisoner received a sentence of six months' imprisonment on his *seventh* conviction.

In the Seoni return :—

"No. 592. Prisoner was fined Rs. 5 for a second offence.

In the Damoh return.

"No. 52. For his first offence, prisoner received 15 stripes, for his second he was fined Rs. 4, for his third he was imprisoned for one month. Only on his *fourth* convicviction was he sentenced to one year's imprisonment. And similar cases are numerous in all the returns.

A notworthy point about the returns, apart from the absurd inadequacy of many of the sentences (passed usually by Honorary Magistrates or Tahsildars) on first and second convictions, is the insufficiency of the sentences passed after several convictions by the Magistrates of the districts. It seems to be forgotten that the Penal Code in fixing maximum punishment for each kind of offence virtually sets up a standard which the courts are bound to keep in view. In fixing for instance fourteen years' imprisonment as the maximum punishment for house breaking by night in order to commit theft, the Legislature certainly intended that that maximum should be inflicted or at any rate approached in cases of unusual heinousness. So with regard to Section 75, it was certainly intended that the provisions of that section

should be used when occasion required. Yet not merely are the maximum punishments never inflicted, but they are not even approached, and it seems to be considered that a sentence of one-sixth of the maximum, as *e. g.* two or three years' imprisonment for burglary, even after numerous convictions, is sufficient to satisfy the ends of justice : even if these lenient sentences were not, as I have said, opposed to the intention of the law, they would be equally contrary to good policy. The people of this country are anything but a nation of thieves. Honest men may occasionally be driven by want to steal, but the mass of the thefts are committed by the classes to whom theft is a profession. These classes are not large but they are nearly incorrigible, and for the sake of the public weal, mercy cannot be shown them : so long as it is not known with regard to any given offender whether he belongs to the class of accidental thieves or professional, let him be treated with leniency, But when once he has proved himself to belong to the latter, good policy demands that he should be put out of the way of mischief, for as long a term as possible, and that his fate should be made a warning to others."

Much that the Commissioner writes commands concurrence ; habitual offenders ought not either from carelessness or unwillingness, to be severe, to be treated with leniency. In a large number of Magistrates' Courts there will occasionally be failures of justice, but it would be unreasonable to suppose that the Magistrates are as a body unmindful of their duty, and the Judicial Commissioner does not think that a large accession to the number of sentences of over two years' imprisonment is to be expected. Some time ago the Judicial Commissioner himself entered upon a general enquiry on the subject, and came then to a similar conclusion. On that occasion statements of the kind now referred to by the Commissioner of the Jubbulpore Division, were found *when tested by the records themselves* in a large degree fallacious. The statements would show previous convictions and a present sentence comparatively light, but the records would show that either in the interval since the last conviction or in the circumstances of the previous convictions, or in the condition of the prisoner, or in the character of the present offence, there was something by reason of which it could not be roundly affirmed that the Court had failed in its duty. For the rest the reports bear witness to the fact that Magistrates of districts have not been wanting in pains to have professional thieves discriminated from accidental thieves, and in the sense of Section 315 Code of Criminal Procedure, to obtain for the professional thief his special deserts, and it is well known that the majority of Magistrates of districts are constantly impressed with the importance of the subject.

The fact is, as the Commissioner himself observes, the people of this country are anything but a nation of thieves, and as to the statement " that the mass of " the thefts are committed by the classes to whom theft is a profession," it is hardly to be expected that the number of persons brought before the Courts whom the Courts, on convicting them of theft, should deem deserving of more than two years' imprisonment will ever be very large or anything but what it has hitherto been, comparatively small.

F. Witnesses.

General results.

69. 98,110 witnesses attended before the Magistrates' Courts, and 896 before the Courts of Session during the year, as compared with 106,064 and 1,064 in 1873.

Magisterial results.

70. The following table shows the general detention of Magisterial witnesses for 1873 and 1874. :—

Periods.	1873.		1874.	
	Number.	Percentage of total witnesses.	Number.	Percentage of total witnesses.
Not detained beyond one day ...	95,843	90·3	89,977	91·7
Discharged in the 2nd day ...	7,417	7·	5,904	6·
Do. 3rd do. ...	1,935	2·7	1,468	2·3
Do. 4th do. ...	601		383	
Detained beyond 4 days ...	268		378	
Total ...	1,06,064	100·	98,110	100·

Results in different districts.

71 The following table gives the figures for Magisterial witnesses in each district :—

District.	Number of cases disposed of	Total number of witnesses.	Percentage discharged in one day.	Number detained beyond two days.	Number detained beyond four days.
Nagpur	3,653	14,186	86·8	536	109
Chanda	1,011	4,035	81·5	389	92
Bhandara	1,171	3,812	93·9	79	8
Wardha	1,558	5,565	92·5	59	...
Balaghat	739	2,428	91·	64	2
Jubbulpore	2,791	9,171	94·9	121	45
Saugor	2,850	10,145	94·6	72	...
Damoh	692	2,319	94·7	50	13
Seoni	1,206	3,951	86·6	168	59
Mandla	417	1,876	88·7	62	...
Hoshangabad	2,251	7,134	93·8	74	11
Betul	1,158	4,762	91·	63	11
Nimar	1,134	4,198	87·	120	10
Narsinghpur	1,485	5,937	96·6	80	...
Chhindwara	696	2,893	96·7	14	1
Raipur	1,982	7,198	95·9	48	...
Sambalpur	737	3,101	91·6	36	...
Bilaspur	1,076	4,524	89	150	2
Upper Godavari	232	845	89·9	44	15
Total ...	26,839	98,110	91·7	2,229	378

The proportion of witnesses discharged in one day has on the whole slightly improved. Chanda shows the smallest proportion, and Nagpur, Seoni, Mandla, and Nimar are also below the average. On the other hand 96 per cent of the witnesses were discharged in one day in Narsinghpur, and Chhindwara, and 95 per cent in Raipur, and no witnesses were detained beyond four days in Wardha, Saugor, Mandla, Narsinghpur, Raipur and Sambalpur.

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In the Nagpur district the longer detentions up to 10 days were chiefly in the Court of the Magistrate of the district, and many of them seem to have been unnecessary ; so also in Chanda, Jubbulpore, Hoshangabad and Seoni, too many witnesses were detained over four days.

Expenses of witnesses.

72. Rupees 6,907 were paid to complainants and witnesses under Section 421, Code of Criminal Procedure. In Nagpur, Wardha, Seoni, Hoshangabad, Raipur and Sambulpur, the amount paid appears to have been exceptionally small.

Payments on this account have not yet become sufficiently regular. In one or two instances a tendency exists to make these payments with unnecessary frequency, and, on the other hand, some Courts have seldom or never ordered them ; for instance, in Nagpur in the Courts of several of the Honorary Magistrates no payments whatever were made. In Wardha in the Court of one Extra Assistant Commissioner, 577 complainants and witnesses appeared, the amount paid as diet money was Rs. 1-12-0, and in 3 Courts no payments whatever were made. In the Jubbulpore district in 12 out of 29 Courts nothing was paid, although upwards of 30 per cent of the total number of witnesses examined appeared in these Courts ; and one Honorary Magistrate's Court only ordered payment of Rs. 1-12-0, although 856 complainants and witnesses appeared.

In Seoni in 4 out of 10 Courts nothing was paid, in one Court in which 184 complainants and witnesses attended Rs. 4-11-0 was paid ; in another in which 676 complainants and witnesses attended only Rs. 22-8-0 were ordered to be paid.

In Hoshangabad in 18 out of 36 Courts nothing was paid, although 42 per cent of the total number of complainants and witnesses attended in these Courts. One Tahsildar's Court only paid Rs. 3-2 although 766 complainants and witnesses attended, in another Tahsildar's Court 120 complainants and witnesses attended but only annas 6 was ordered to be paid.

In Raipur out of 16 Courts 4 paid nothing; in one Extra-Assistant Commissioner's Court 583 complainants and witnesses attended, only Rs 1-3-0 was paid ; in one Tahsildar's Court 932 complainants and witnesses attended, but only Rs. 9-8-0 were paid.

In Sambalpur in the Court of one Tahsildar 1,128 witnesses attended and only Rs. 20-2-0 were paid.

Divergency of practice in this matter seemed to arise partly out of imperfect apprehension as to (1) the scope of the term "expenses" as used in Section 421, Code of Criminal Procedure, and (2) the considerations on which the discretion which the Courts have under that section, and the rules passed thereunder by the Chief Commissioner to order payment should be exercised. Accordingly on these two heads the following remarks were, with the Chief Commissioner's approval, recently communicated to the Courts—Circular II of 1875, para. 2, (1), (2).

(1). The "expenses" of a complainant or witness may be represented by,—

(a). Loss of money, or of something estimable in money, which would, but for attendance in Court have been acquired ; such as business profits and acquisitions, wage or salary, &c.

(b.) Outlay of money necessary in order to attendance at Court, as well as during and consequent thereon, such as expenditure on means of locomotion, or in food, or in lodging, or in business or domestic arrangements, specially necessitated by attendance at Court, &c. &c.

(2.) As regards the considerations on which the Courts should exercise the discretion they have, to order payment on the part of Government of these expenses :—

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(a.) No doubt it is to be expected that payment at the prescribed rates, will, in the cases specified in the rules, be ordered on the part of Government whenever it may seem that such payment is to the complainant or witness a matter of any real consequence Provided such complainant or witness shall desire such payment and shall have conducted himself properly and, in the case of a complainant or a complainant's witness shall, by his attendance, have served public interests rather than his private interests, and provided in the case of a witness, his expenses cannot be defrayed out of a deposit thereof made according to a requisition under S 361, C Cr P, or shall not have been already defrayed by an accused person or a complainant to whom compensation therefor may be awarded in the case under Ss. 209 or 308, C Cr P

(b) But when a complainant or witness has suffered no appreciable loss either in money or otherwise, or when the circumstances of a complainant or witness may seem to be such as to make the payment of his expenses at prescribed rates a matter to him of no real importance, the Court might properly refrain from ordering their payment on the part of Government And the Court would of course as a rule, not order such payment to a complainant or witness whatever might be his circumstances if he should not desire to receive it, or if he should have conducted himself as a complainant or witness in a specially unsatisfactory manner, or if, in the case of a complainant or a complainant's witness, he should by his attendance, have been serving his private interests rather than the interests of the public at large or if, in the case of a witness, his expenses can be defrayed out of a deposit thereof made according to a requisition under S 361 C Cr P or shall have been already defrayed by an accused person or a complainant to whom compensation therefor may be awarded in the case under Ss 209 or 308, C Cr P Also it is obvious that the Court need not order payment on the part of Government, of the travelling expenses of Police officers attending Court in the course of their duty as Police Officers, for such expenses are, under the Accountant General's instructions to be dealt with as "a purely police charge and arranged for by the District Superintendent."

Some Courts had difficulty in procuring the necessary advance from which to make the proper payments.

G —Appeal, Reference and Revision

Total appellate business.

73 1,868 persons appealed.

To Magistrates of Districts	...	1,112
To Courts of Session	..	654
To the Judicial Commissioner.	...	102
Total..		1 868

74 The general results of the appeals disposed of are shown in the following table —

General results of appeal

Classes of Appelate Courts.	Total appeals disposed of.	Appeals rejected and dismissed.		Sentences altered		Sentences reversed.	
		Number	Percentage of total disposed of	Number	Percentage of total disposed of	Number	Percentage of total disposed of
Court of the Judicial Commissioner	100	65	65	10	10	25	25
Courts of Session	677	439	64 8	112	16 6	126	18 6
Magistrates of Districts	1,118	595	53 2	185	16 6	338	30 2
Total	1,895	1,099	58	307	16 2	189	25 8

75. The following table gives the results of references to Sessions Judges for confirmation of sentences passed by Deputy Commissioners under Section 36, Code of Criminal Procedure.

Reference to Sessions Judges under Section 36 C. Cr P

Sessions Division.	Sentences.			
	Referred for confirmation.	Confirmed.	Modified.	Annulled.
Nagpúr	17	13	2	2
Jubbulpore	12	10	2	...
Narbada	12	7	4	1
Chhattisgarh	7	4	...	3
Total ..	48	34	8	6

Appeals to the Judicial Commissioner and Magistrates of Districts have decreased,* while appeals to Courts of Session have very slightly increased. Sentences were reversed in largest proportion by Courts of Magistrates of Districts and generally it may be remarked that the percentage of sentences reversed† in all classes of Appellate Courts has increased.

	1873.	1874
* Court of the Judicial Commissioner.	132	100
Magistrates of Districts ..	1,228	1,118

	Percentage of Appeals reversed.	
	1873.	1874.
† Court of the Judicial Commissioner ...	14·1	25·
Courts of Session	17·3	18·6
Magistrates of Districts	26·1	30·2

The following are the remarks of Commissioners on the subject ;—

[Nagpur Division report, paragraphs 62, 63.]

"The following figures represent the appellate business in the District Courts :—"

Districts.	Total for disposal.	Rejected.	Confirmed.	Reduced.	Enhanced.	Reversed.	Quashed.	Total.	Pending.
Nagpúr	134	1	64	22	3	74	...	134	...
Bhandara	20	...	7	3	...	4	...	14	6
Chanda	8	3	...	3	...	2	...	8	...
Wardha	80	...	41	7	2	30	...	80	...
Balaghat	16	7	1	2	...	6	...	16	...

"The appellate business is by no means heavy in any district. Nagpur and Wardha show the worst in regard to sentences reversed. At Nagpur this arose from a large number of convictions under Section 504 (Vagrancy) having been reversed."

"It will be seen that in the Sessions Court appeals have increased as has also the percentage of orders reversed, the figures of 1874 being 28·6 against 23·3 in 1873. In no case was sentence enhanced in appeal."

[Jubbulpore Division Report, paragraph 36.]

"The following table shows the general result of the appeals disposed of" :—

Classes of Appellate Courts.	Total appeals disposed of.	Appeals rejected and dismissed.		Sentences confirmed.		Sentences altered.		Sentences reversed.	
		Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.	Number.	Percentage of total disposed of.
Magistrate of the Jubbulpore District ...	107	...	...	43	40·2	20	18·6	44	41·1
Do. Saugor...	150	...	...	100	66·6	17	11·3	33	22·
Do. Damoh...	23	1	4·3	18	78·2	2	8·6	2	8·6
Do. Seoni ...	45	...	...	35	77·7	5	11·1	5	11·1
Do. Mandla...	24	5	20·8	9	41·6	5	20·8	5	20·8
Total ...	349	6	1·7	205	58·7	49	14·	89	25·5
	No appeals were pending at the close of the year.								

"I am unable to offer any explanation of the decrease. It might have been expected that the power of enhancing sentences on appeal now vested in the Appellate Courts would have brought about a diminution in the number of appeals. But it has not done so in my Court, and there is therefore no reason to attribute to this cause the diminution in the Deputy Commissioners' Courts."

"In my own Court 227 persons preferred appeals during the year against 178 in 1873. These were disposed of as follows :—

Summarily rejected as inadmissible	37 or 16·3	per cent.
Sentences confirmed ...	118 or 51·9	"
Do. reduced ...	36 or 15·8	"
Do. enhanced ...	12 or 5·2	"
Do. reversed ...	20 or 8·8	"

leaving 4 appeals pending at the close of the year."

[Narbada Division Report, paragraphs 38, 39.]

"The five Deputy Commissioners disposed of 231 appeals thus distributed.

	Cases in 1873.	Cases in 1874.
Hoshangabad	... 81	... 65
Narsinghpur	... 79	... 69
Nimar	... 31	... 10
Chhindwara	... 25	... 13
Betul	... 64	... 74
Total	... 280	... 231

"The number of persons appealing is thus shown :—

	1873.	1874.
Hoshangabad	... 142	... 103
Narsinghpur	... 127	... 103
Nimar	... 36	... 16
Chhindwara	... 26	... 26
Betul	... 89	... 109

"This shows a very considerable decrease in every district save Betul.

"In only two districts were any sentences enhanced, viz., 6 in Betul and 3 in Nimar.

"The Deputy Commissioner, Hoshangabad, believes the decrease to be due to the fact that the power to enhance is more or less known, and the general decrease in the first four named districts favours this idea.

"The percentages of sentences confirmed by Deputy Commissioners were as follows :—

	From paid Magistrates.	From Honorary Magistrates
Hoshangabad	... 88·5	... 83·5
Narsinghpur	... 79·8	... 84·5
Nimar	... 92·8	... 87·5
Chhindwara	... 95·4	... 95·4
Betul	... 83·5	... 99·1

"In the Sessions Court the appeals stood thus :—

	1873.	1874.
Number of persons disposed of...	271	225
Instituted cases ...	283	201

"This also leads strongly to the idea that the power to enhance, lessens the number of appeals.

Of the above .
11 were rejected.
142 confirmed.
32 reduced.
5 enhanced.
35 reversed.

225

"Thus sentences were reversed on a little more than 11½ per cent, and this is much below the figures for the four Courts of Session in 1873."

References to the Judicial Commissioner for confirmation of sentences of death.

76. During the year orders were passed by the Judicial Commissioner's Court as a Court of Reference in respect of 28 sentences of death passed by Courts of Session. Further enquiry was ordered or further evidence directed to be taken in four instances.

The sentence of death passed was confirmed in respect of 21 persons, the sentence passed on two persons modified, and in the case of three persons the sentence was reversed.

Revision.

77. The cases of 132 persons were specially dealt with by the Judicial Commissioner's Court as a Court of Revision. In respect of 42 persons the sentences were modified. The sentences or orders passed on 56 persons were reversed, and in the case of 10 persons the proceedings were annulled. Of these 23 were orders in the cases of persons accused of vagrancy and bad livelihood in the Nagpur District, to which allusion has more than once been already made.

H. Durations.

Police cases in Magistrates' Courts.

78. The following table shows durations of Police cases in Magistrates' Courts.

District	Total number of cases in Statement No. 5 A.	Disposed of in 1 day.		Disposed of in 2 days.		Disposed of in 3 and 4 days.		Disposed of in from 5 to 15 days.		Delayed more than 15 days.		Average duration.
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	
Nagpur ...	1,659	1,116	67·2	245	14·8	138	8·4	134	8·1	26	1·5	2·2
Chanda ..	581	408	70·3	39	6·7	39	6·7	69	11·8	26	4·5	3·8
Bhandara ...	529	347	65·6	55	10·4	61	11·3	64	12·1	2	·4	2·3
Wardha ...	612	398	65·	100	16·3	47	7·7	56	9·2	11	1·8	2·4
Balaghat ...	454	361	79·6	30	6·6	19	4·2	38	8·3	6	1·3	2·1
Jubbulpore ...	1,660	1,333	80·3	112	6·7	112	6·7	95	5·8	8	·5	1·7
Saugor ...	1,556	1,279	82·2	97	6·2	77	5·	86	5·5	17	1·1	1·8
Damoh ...	382	288	75·4	30	7·8	11	3·	31	8·	22	5·8	3·9
Seoni ...	769	565	73·5	90	11·7	42	5·4	60	7·8	12	1·6	2·0
Mandla ...	296	235	79·4	29	9·8	13	4·4	17	5·8	2	·6	1·7
Hoshangabad ...	1,084	729	67·2	124	11·5	77	7·1	124	11·4	30	2·8	2·7
Betul ...	703	572	81·3	52	7·4	32	4·6	40	5·7	7	1·	1·9
Narsinghpur ...	900	772	85·8	57	6·3	32	3·5	37	4·2	2	·2	1·4
Nimar ...	686	526	76·7	84	12·3	38	5·5	34	5·	4	·5	1·7
Chhindwara ...	338	261	77·2	28	8·3	17	5·	30	8·9	2	·6	1·9
Raipur ...	1,285	998	77·6	112	8·7	59	4·6	94	7·4	22	1·7	2·1
Sambalpur ...	565	469	83·	51	9·	17	3·	19	3·4	9	1·6	2·
Bilaspur ...	622	437	70·2	64	10·3	37	6	65	10·4	19	3·1	2·9
Upper Godavari ...	109	69	63·3	12	11·	11	10·1	11	10·1	6	5·5	4·9
Total ... 1874...	14,790	11,163	75·5	1,411	9·5	879	5·9	1,101	7·5	233	1·6	2·2
Total ... 1873...	15,269	11,144	73·	1,481	9·7	1,058	7·	1,258	8·3	328	2·	2·3

On the whole there has been a decrease in average durations, but the average was particularly high in the Chanda, Upper Godavari, Damoh and Bilaspur districts. In Bhandara, Wardha and Hoshangabad also the duration is too high.

The following are extracts from Divisional reports on the subject.

[Nagpur Division report, para. 65.]

"The average duration in Police cases during the past year is shown below :—

	1873.	1874.
Nagpur	2·4	2·2
Bhandara...	2·2	2·3
Chanda	2·8	3·8
Wardha	2·5	2·4
Balaghat	2·5	2·1

"Chanda is the only district in which the duration exceeds the Provincial duration The Deputy Commissioner has, however, I consider satisfactorily explained how this has occurred.

"Although the general average of the Nagpur District is somewhat lower than it was last year, the improvement, slight as it is, is owing to low averages in the Tahsildar's and Honorary Magistrates' Courts. At the Sadar station where Colonel Smith's system of distribution has operated, the averages are exceptionally bad, as will be seen from the following figures :—

Colonel Smith, Deputy Commissioner	... ...	5·2
Captain Macdougall, Offg. do.	... ..	7·1
Do. Assistant Commissioner...	...	4·2
Mr. Jacob	...	4·
Mr. Finch	...	6·2
Mr. Dennys, Extra Assistant Commissioner	...	4·5
Mr. Kesho Rao do. ...	...	4 9
The Provincial average last year was ..	...	2·5

"Colonel Smith attributes the increased duration in his Court to the much larger share of heavy work taken up by him during the past year, but, as elsewhere remarked Colonel Smith did not dispose of a particularly large number of cases."

[Jubbulpore Division report, para 39.]

"The following Statement shows the duration of Police cases in Magistrates Courts :—

Districts.		Total number of cases in Statement No. 5 A.	Disposed of in 1 day.		Disposed of in 2 days.		Disposed of in 3 and 4 days.		Disposed of in from 5 to 15 days.		Delayed more than 15 days.		Average duration
			Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	
Jubbulpore	1874.	1,660	1,333	80·3	112	6·7	112	6·7	95	5·7	8	·4	1·7
	1873	1,878	1,471	78·3	161	8·6	112	6·	109	5·8	25	1·3	2·2
Saugor	1874.	1,556	1,279	82·2	97	6·2	77	4·9	86	5·5	17	1·	1·8
	1873	1 577	1,162	73 6	154	9·8	125	8·	115	7·3	21	1·3	2·2
Damoh	1874.	382	288	75·3	30	7·8	11	2·8	31	8·1	22	5·7	3·9
	1873	499	270	61 6	52	11·8	45	10·3	54	12·3	18	4·	3·3
Seoni	1874.	769	565	73 4	90	5·6	42	5·4	60	7·8	12	1·5	2·
	1873	710	570	80·3	41	5·8	37	5 2	57	8·	5	·7	1·9
Mandla	1874.	296	235	79·3	29	9·8	13	4 3	17	5·7	2	·6	1·7
	1873	401	333	83·	14	3·5	12	3·	33	8·2	9	2·3	2·1
Total ...		4,663	3,700	79·3	358	7·6	255	5·4	289	6·9	61	1·3	2·2

"The average duration has decreased from 2 3 in 1873 to 2 2 in 1874, and is below the Provincial average of last year

"In Jubbulpore, Saugor and Mandla, there has been a considerable reduction in the average since last year, and the present results in these districts are excellent In Seoni the average has remained nearly as last year, and it is good The average for the Division is raised by the high figure in Damoh This district stood at the head of the districts of the Province last year with a duration of 3 3, which I regret to say has now risen to 3 9 In this district delay is frequently caused by the difficulty of procuring the attendance of witnesses from Punnah and other neighbouring Native States, and it may be conceded that the duration there must be somewhat longer than in other Districts But this explanation cannot be held to cover such a high average as that now shown, on the other hand it must be noted in favour of Damoh, that the average duration in cases on complaint is unusually low"

The specially high durations in the Upper Godavari District arise out of exceptional circumstances. The subject generally has had periodically the Judicial Commissioner's particular attention, and he is obliged to say that due regard has in some instances not been paid to his injunctions to dispose of Police cases without avoidable delay.

Cases on complaint.

79 The average duration of cases on complaint in Magistrates' Courts remains the same as last year. The highest durations are in Hoshangabad, Narsinghpur, Raipur and Bilaspur.

The high durations in Raipur and Bilaspur may be partly due to the extent of those districts, and the sparseness of Magistrates' Courts, but no such allowance can be made for a compact district moderately well studded with Magistrates' Courts like Narsinghpur, and in that district as well as in Hoshangabad the durations appear excessive. In respect of the Nagpur district the Commissioner of the Nagpur Division writes [para. 66] :—

"The duration of cases taken up on complaint &c. is as follows.—

	1873.	1874
Nagpur	8	10
Bhandara	8 2	9
Chanda	9	9
Wardha	9 1	10 9
Balaghat	8	10 9

'Here again the durations have been higher at some of the Courts of the Sadar Station, for instance :—

	Days
Colonel Smith	19
Captain Macdougall...	25
Mr Dennys	25
Mr Kesho Rao	21
Mr Fanshawe	20

"This high rate of duration Colonel Smith attributes to the generally serious nature of the cases taken up on complaint and to protracted previous enquiries under Section 146, Code of Criminal Procedure This last explanation is, however, apparently not valid, as according to Judicial Commissioner's ruling in Circular No 14 of 1872, it is expressly laid down that the enquiry previous to issue of process for the attendance of the person complained against will not count in the duration"

Of the districts in the Jubbulpore Division the Commissioner is able on the whole to report very favourably. The districts of Nimar and Sambalpur has show well.

80 The average duration of cases tried by the Courts of Session (reckoned from the day after commitment) are abstracted below :—

In Courts of Session.

			1873.	1874.
Nagpur Division	...	..	46	52
Jubbulpore ,,	...	...	53	51
Narbada ,,	...	...	71	70
Chhattisgarh ,,	...	...	120	57

The Chief Commissioner will be glad to see that the durations in the Chhattisgarh Division no longer form a blot in the year's returns.

81. The Judicial Commissioner's acknowledgments are again due to his own Office. In previous years, compilation of the voluminous statistics and other work connected with the Annual Civil and Criminal Reports have cost something in extra establishments, this year Mr. Keenan and his two Assistants have by special forecast, method, and assiduity performed the whole of the work unaided.

Conclusion.

I have the honor to be,

Sir,

Your most obedient Servant,

NAGPUR :
The 10th March 1875.

R. LOGAN,
Offg. Registrar.

19 4 75—C 169—366

IMPERIAL STATEMENTS.

12—4—15—Z—I—TIS—000

Judicial Statement B1.

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1874

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.		Number of Judicial Divisions.	Average area of each Division in square miles	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any	Judicial powers of each Tribunal Original or Appellate	Total number of Judges. European. Covenanted	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native	Average annual salary of each Judge. European	Average annual salary of each Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer	Average number of days in the year devoted to Judicial work	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue	Number of Cases decided during the year. Appellate.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only	Paid	4	1,423	178,126	4	A single Judge presides over each Court, Jury or Assessors not employed	Each Judge had powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure	2		1	1	5,200	3,000	.		One of the four paid Judges is a Civil Surgeon exercising the powers of a Magistrate of the 2nd Class.	Sundays and general holidays.	Courts of the Central Provinces	187	.	..	
	Unpaid	30	960	96 202	72					1	71	.	.	.					7,300	..	.	
Magistrates of the second and third classes exercising Criminal, Civil, and Revenue powers.	Paid	18	2,374	203 082	66	Do.	Each Judge had on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure and on the Civil side power to hear suits of value up to Rs. 50 100 300, 500 1,000 according to his powers under the Central Provinces' Courts Act (XIV of 1863), and had on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X of 1859, as amended by Act XIV of 1863)	3		1	62	4,350	1,720	Rs 6 75,035 4 4	Rs 6 44,983-11-0	These officers are Tahsildars (Sub-Collectors, Assistant and Extra Assistant Commissioners.			9 249	37 712	5,899	

Small Cause Courts confined to proper functions.	Paid	...	1	851	244,626	2	A single Judge presides over each Court; Jury, or Assessors not employed.	One Judge had power to hear suits up to Rs. 1,000 under Act XI. of 1865, and the second Judge is Registrar of his Court, who, under the same Act, has been invested with powers to hear suits.	...	1	...	1	12,000	3,000			...	250 days excluding	40 Pleaders practice in the	...	6,146	...	...
Do. invested also with Criminal powers.	Paid	..	3	1,630	179,919	5	Do	One of these Judges under Act XI. of 1865, and three under Acts XI. of 1865 and XXII. of 1864, had power to hear suits up to Rs. 500 in value. Four of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs. 20.	...	4	...	1	7,800	1,920			Three of these Judges are Cantonment Magistrates.			795	5,830	...	...
Do. invested also with ordinary Civil or Revenue powers.	Paid	...	1	10	14,536	1	Do.	This Judge had on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes. He had further been invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	...	1	...	..	8,400	...	Rs. 6,75,655-4-4	Rs. 6,44,983-11-0	Cantonment Magistrate (Saugor.)			248	301	2	...
Naib Tahsildars invested with Civil powers only.	Paid	...	16	1,687	157,481	16	Do.	Each Judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV. of 1865 "The Central Provinces' Courts Act."	...	...	...	16	...	705			They assist Tahsildars in the general administration of the Sub-divisions of Districts (Tahsils) to which they are posted.			.	13,564	...	...
Benches of Magistrates.	Unpaid.		1	834	244,626	5	A Bench consisting of five Magistrates, Jury or Assessors not employed.	A single Bench exercising the powers of Magistrates of the 1st Class, under the Code of Criminal Procedure.	...	...	...	5	...	...			...			374	...	...	...
Magistrates of the 1st Class (not Magistrates of Districts) invested with Criminal powers only.	Unpaid.		3	2,977	422,725	5	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Code of Criminal Procedure.	...	...	...	5	...	...			.			779	...	...	...

Judicial Statement B1.—(*Continued*)

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Total number of Judges. European. Commissioned Military Officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each Judge. European.	Average annual salary of each Judge. Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each Tribunal.	Number of Cases decided during the year. Criminal.	Number of Cases decided during the year. Civil.	Number of Cases decided during the year. Revenue.	Number of Cases decided during the year. Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st Class (not Magistrates of Districts), invested with Civil and Revenue powers. Paid ...	25	3,925	388,440	34	A single Judge presides over each Court; Jury or Assessors not employed.	In addition to full Magisterial powers as above, each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	7	6	6	15	6,221	4,360	...	...	These officers are Assistant and Extra Assistant Commissioners, and aid Deputy Commissioners in the general administration of the Districts to which they are posted. One of these is also general Assistant to the Deputy Commissioner.	...	...	5,718	13,248	625	...
Magistrate of the District. Paid ...	19	4,472	326,396	19	Do.	In addition to the full powers of a Magistrate, these Officers hear appeals from convictions by Magistrates of the second and third classes. All of them exercise the special powers of Section 36 Code of Criminal Procedure to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	...	17	2	..	15,913	...	...	...	These officers are Deputy Commissioners invested with administrative charge of Districts.	Sundays and general holidays.	Courts of the Central Provinces.	2,189	394	112	3,696

Courts of Session exercising also Civil and Revenue powers.	Paid	...	4	21,240	2050,880	4	A single Judge presides over each Tribunal. He is assisted by two Assessors when trying defended Session-cases. (Criminal.)	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865 hear appeals in all suits in which the value is Rs. 5,000 or more; and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain Suits under Act X. of 1859, (the Rent Act). They have also special original jurisdiction under Act IV. of 1869, the Indian Divorce Act, and X. of 1870, the Land Acquisition Act. In the Revenue Department, they are Commissioners of Division, and hear appeals from orders of Collectors under the Rent Law.	2	2	...	...	82,499	...	Rs. 6,75,635-4-4	Rs. 6,44,983-11-0	Commissioners have administrative charge of Divisions consisting of several Districts.	260 days excluding	49 Pleaders practise in the	94	...	...	1,050
Court of the Judicial Commissioner.	Paid	..	1	84,963	8,201,519	1	A single Judge presides over this Court unassisted by either Jury or Assessor.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases. Hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Criminal Procedure to the Sadar Court.	...	1	...	...	38,000	...						...	...	...	203

ABSTRACT.*

Number of Criminal Courts.		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	127	Small Cause Courts	6
Magistrates of the 1st Class	52	Court of the Naib Tahsildars	16
Benches of Magistrates	3	Courts of the Tahsildar	50
Magistrates of Districts	19	Courts of the Assistant Commissioner	33
Courts of Session	4	Courts of the Deputy Commissioner	19
Court of the Judicial Commissioner	1	Courts of the Commissioner	4
		Court of the Judicial Commissioner	1
Total ...	206	Total ...	128

* Under Administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. This abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year.

Judicial Statement B2.—(Criminal.)

STATEMENT of Offences reported, and of persons tried, convicted, and acquitted, for each offence in the Central Provinces in the year 1874.

Description of offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
Class I.							
OFFENCES AGAINST THE STATE, THE PUBLIC, AND JUSTICE.							
Against the State.							
1. Waging, or conspiring to wage war against the Queen ...	121, 121A	..	...	...	..	...	
2. Collecting arms, or concealing design to wage war ...	122, 123	..	...	...	..	...	
3. Assaulting Governor General, &c., with intent to compel or restrain the exercise of any lawful power ...	124	..	...	...	..	...	
4. Exciting disaffection or circulating false rumours ...	124A, 505	..	...	...	..	...	
5. War or depredation on allied powers ...	125 to 127	..	...	...	..	...	
6. Abetment of mutiny ...	131, 132	..	...	...	..	...	
7. Offences relating to the Army and Navy { Cognizable ...	133 to 136, 138	..	...	...	..	...	
7. Offences relating to the Army and Navy { Non-Cognizable ...	137	..	...	...	..	...	
Relating to Coin, Stamps, Weights, and Measures							
8. Counterfeiting coin ...	231 to 238	2	2	..	2	..	
9. Diminishing or altering coin ...	246 to 249	5	9	3	6	..	
10. Passing or possessing bad or altered coin ...	239 to 243 and 250 to 254	46	47	14	33	...	

Judicial Statement B2.—*(Contd.)*

Description of offences.	Section of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
11. Counterfeiting Government Stamp, or possessing or keeping instrument for the purpose ...	255 to 257	...	...	...	...	...	
12. Selling or possessing counterfeit Government Stamps ...	258, 259	...	...	...	...	...	
13. Using as genuine counterfeit stamps, or effacing or altering same ...	260 to 263	9	12	6	6	...	
14. Making, using or possessing false weights and measures ...	264 to 267	86	142	36	104	1	1 Escaped.
Against Public Justice.							
15. Personating public servant or soldier ...	140, 170, 171	41	42	8	33	1	
16. Concealing design to commit {a Cognizable / a Non-Cognizable} offence ...	118, 120	1	1	...	1	...	
17. Omitting to give information of offence, or giving false information ..	176, 177, 181, 182, 202, 203	167	214	47	166	1	
18. False information punishable under special revenue laws ...	Act X. of 1871, 70, 76, Act XXXVI. of 1855, 7.	...	...	...	...	...	
19. Causing disappearance of evidence ...	201, 204	6	25	1	24	...	
20. Resisting, obstructing, threatening or omitting to assist public servant ...	183 to 187, 189, 190	119	206	59	139	...	9 Escaped, 1 died.
21. Disobedience of lawful order causing injury ...	188	49	85	12	53	19	1 Escaped.
22. Intentional insult or interruption during Judicial proceedings..	228 and 6. Cr. P. 435	33	34	1	33	...	
23. Harbouring an offender ...	212, 216	9	14	3	11	...	
24. Taking or offering gift to screen offender ..	213 to 215	32	39	6	33	...	

25.	Resistance to, or rescue from lawful apprehension ...	224, 225	19	18	4	14	...		
26.	Escape from lawful custody or transportation ...	224, 225A., 226	91	79	6	73	...		
27.	Aiding escape of State prisoner ...	130	...	...	...	...	...		
28.	Absconding from, avoiding, or disobeying summons, notice, or order to attend or produce ...	172 to 175, and C. Cr. P. 435	19	291	49	240		1	1 Escaped.
29.	Refusing to take oath, or answer, or sign ...	178 to 180	4	5	...	5	...		
30.	Violation of condition of remission of punishment ...	227	...	...	...	...	...		
31.	Failure to attend as Juror or Assessor ...	C. Cr. P. 414	...	...	...	...	...		
	By Public Servants.								
32.	Abetment or concealment by public servant of { a Cognizable / a Non-Cognizable } offence ...	116, 119	3	2	1	1	...		
33.	Taking valuable thing by, or to influence public servant ...	161 to 165 (read with Act XXXI. of 1867, 2.)	33	41	22	17		1	1 Transferred.
34.	Public Servant acting illegally to injure any person ...	166, 167	5	10	2	6		1	1 Escaped.
35.	" unlawfully trading ...	168, 169	...	...	...	...	..		
36.	" fraudulently defeating punishment or forfeiture...	217, 218	...	...	...	...	..		
37.	" wilfully making order or decision contrary to law ...	219, 220	...	...	...	...	...		
38.	" intentionally omitting to apprehend, or permitting to escape ...	128. 221. 222	4	12	1	11	...		
39.	" negligently suffering escape ...	129, 223	16	19	5	14	...		
40.	Breach of Police Act by Police Officers ...	Act V. of 1861. 19, 29	22	25	3	22	...		
41.	" Excise or Opium Act by Excise of Police Officers ...	Act X. of 1871, 69. 71 to 73, 76, and Act XIII. of 1857, 23, 28.	1	1	...	1	..		
42.	" Salt Customs' Act by Customs, Police, or Land Revenue Officers ...	Act XIV. of 1843. 11. and Act XXXVI, of 1855, 6, 7.	1	2	...	2	...		
43.	Fraudulent breach of the Indian Post Office Act by Post Office officials. { Cognizable ... / Non-Cognizable... }	Act XIV. of 1866, 48, and 59, / Do. 49 to 52 and 59	2 / 1	2 / 3	2 / 1	... / 2	.. / ...		
	False Evidence, False Complaints or claims, and Forgery.								
44.	Giving false evidence ...	193 to 196	57	57	45	37		2	2 Escaped.
45.	Fabricating false evidence ..	193 to 196	10	22	6	16	...		
46.	Making, issuing, or using false statement or certificate ...	197 to 200	4	4	2	2	...		
47.	False personation in Judicial proceedings ...	205. 229	2	2	...	1		1	

Judicial Statement B2.—*(Contd.)*

	Description of offences	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year.	Acquitted or discharged	Convicted.	Remaining under trial.	Remarks.
48.	Fraudulent claim to, or concealment of property, or suffering of decree ...	206 to 208, 421 to 424	12	23	7	16	..	
49	False claim in Court of Justice ...	209, 210	16	22	1	8	1	1 Escaped.
50	„ charge of offence ...	211	26	32	17	15	...	
51	Forgery or fraudulently using or possessing forged document. ... Cognizable	467 471	.	...	...	.	.	
	Non-Cognizable .	465, 466 468, 469 472 to 477	36	56	25	25	4	2 Escaped.
52.	Making or using false trade or property marks ...	482 to 489 and Act. VII. of 1865, 6 sub rule 21	2	3	3	...	..	
	Public Nuisances.							
53.	Nuisances under the Penal Code ... Cognizable ...	269, 270, 277, 279 to 283						
	Non Cognizable .	285, 286, 289, 291 to 294 271 to 276, 278, 284, 287	182	210	30	180	..	
54.	Nuisances under Police, or Municipal, or Cantonment Acts ...	288, 290, 294A Act V of 1861, Secs. 32, 34. Act XXII of 1864, 19 (except Cl. 7) 28, 29 30, 31, 33, XI. of 1873, 21	101	128	24	104	...	
			2,318	2,438	227	2,192	1	8 Escaped
	Relating to the Public Peace.							
55.	Rioting or unlawful assembly ... Cognizable ..	143 to 148 and 149, 150 to 153	25	242	60	182	..	
	Non-Cognizable ..	149	1	1	1	...	..	

56.	Omitting to inform of, or prevent riot ...	154 to 156	..	...	...	...	...	
57.	Affray. ...	160	193	792	149	642	...	1 Escaped.
58.	Offences relating to religion ... Cognizable ...	295 to 297	9	18	8	11	...	
	Non-Cognizable ...	298	2	19	19	..	...	
59.	Abetments or attempts of the above offences, (Class I.) not separately provided for ...	.....	30	54	10	44	..	
	Total Offences under Class I. ...	.....	4,029	5,538	948	4,527	34	29
	Class II.							
	OFFENCES AGAINST THE PERSON.							
	Serious.							
60.	Murder, by Thugs							
61.	" " Dacoits ...							
62.	" " Robbers ...							
63.	" " Poison ... for sake of robbery ...	302. 303 and 396	15	18	10	6	2	1 Escaped.
64.	from other motives ...		1	1	...	1	..	
65.			1	2	...	..	2	
66.	" " other than above .. from motives connected with women ...		17	17	5	8	1	3 Escaped.
	from other motives ...		37	65	21	34	9	1 Escaped.
67.	Attempt to murder ...	307	10	18	11	6	..	1 Died.
68.	Culpable homicide ...	304, 308	34	61	22	35	4	
69.	Causing death or grievious hurt by rash or negligent act ...	304A, 338	17	32	12	20	...	
70.	Abetment of suicide ...	305, 306	1	1	1	..	...	
71.	Attempt to commit suicide ...	309	169	169	36	133	...	1 Escaped.
72.	Causing miscarriage ...	312 to 316	2	2	1	1	...	
73.	Exposure of infant or concealment of birth ...	317, 318	44	51	11	36	4	
74.	Grievous hurt ..	325, 326	143	207	47	159	1	
75.	" " on grave and sudden provocation ...	335	25	31	2	29	...	
76.	Hurt by dangerous weapons ..	324	106	119	30	88	1	
77.	Administering stupefying drugs ..	328	17	14	5	8	1	
78.	Causing hurt to extort property or confession ...	327, 329 to 331	7	13	4	9	...	
79.	" " public servant ...	332, 333	4	8	4	4	...	

Judicial Statement B2—*(Contd.)*

	Description of offences		Sections of the Indian Penal Code or other Law applicable	Number of offences reported during the year	Number of persons under trial during the year	Acquitted or discharged	Convicted	Remaining under trial	Remarks
80	Wrongful confinement after issue of writ for liberation, or in secret	Cognizable ...	346				...		
		Non-Cognizable ..	345		..		.		
81.	" " to extort property or confession		347 348	19	32	21	9	2	
82.	Assault of public servant, or to outrage modesty or to dishonor a person, or in attempt to commit theft or wrongful confinement	Cognizable	353, 354, 356, 357	200	290	93	197	..	
		Non-Cognizable	355	20	41	8	33		
83.	Criminal intimidation punishable with more than two years' imprisonment		506	6	7	3	4	.	
84	Buying or disposing of any person as a slave	Cognizable	371		.	..			
		Non-Cognizable	370		.	...			
85	Kidnapping or abduction .		363 to 365 367 to 369	15	29	15	14		
86.	Abducting a woman to compel marriage, or for defilement .		366	8	14	7	7		
87	Selling, letting or unlawfully obtaining a woman for purposes of prostitution .		372, 373	6	9	6	3	.	
88.	Exciting a woman with criminal intent .		498	188	246	170	68	1	7 Escaped.
89	Fraudulent and unlawful marriages		493 to 496	15	34	23	4	2	5 Escaped
90.	Adultery ...		497	137	164	114	41	4	5 Escaped
91.	Rape ...		376	43	59	28	29	1	1 Died
92	Unnatural offences		377	12	11	4	7	...	

	Minor offences against the person.							
93.	Hurt ...	323, 334	1,768	3,270	1,498	1,768	2	7 Escaped.
94.	Rash or negligent act and hurt caused thereby ...	336, 337	25	32	15	17	...	
95.	Wrongful restraint ...	341	110	191	34	107	...	
96.	" confinement ...	342 to 344	93	186	70	116	...	
97.	Assault or use of criminal force ...	352, 358	5,261	10,742	6,389	4,270	62	30 Escaped.
98.	Criminal intimidation or insult ...	504, 506 to 509	850	1,586	820	759	...	7 Escaped.
99.	Causing annoyance in a state of intoxication ...	510	11	18	5	13	...	
100.	Unlawful compulsion of labour ...	374	11	10	3	7	..	
101.	Defamation ..	500 to 502	278	514	354	154	6	
102.	Abetments or attempts of the above offences (Class II.) not separately provided for ...	.....	47	82	37	45	...	
	TOTAL OFFENCES UNDER CLASS II. ...		9,708	18,896	9,979	8,243	105	69
	Class III.							
	OFFENCES AGAINST PROPERTY WITH VIOLENCE.							
103.	Dacoity ...	395, 397, 398	11	74	5	59	10	
104.	Preparation or assembly for dacoity ..	399, 402	...	3	...	3	...	
105.	Robbery, With hurt or deadly weapon ...	394, 397, 398	3	19	2	17	...	
106.	" By poison or stupefying drugs ...		1	4	...	4	...	
	" By other means ...		5	6	1	5	...	
107.	" In a dwelling-house ...	392, 393	19	7	4	3	...	
108.	" On the highway ..		14	13	6	7	...	
109.	" Elsewhere ...		26	31	14	17	...	
110.	Extortion ...	384 to 389	57	74	28	43	...	3 Escaped.
111.	House-breaking or house-trespass in order to commit theft...	451, 454, 457	6,890	2,150	383	1,761	2	2 Escaped, 2 transferred.
112.	House-breaking or house-trespass in order to commit an offence other than theft .	449 to 451, 454, 457	61	70	18	52	...	
113.	Theft, mischief, house-breaking or house-trespass with preparation for or attempt at hurt ...	382, 440, 452, 455, 458 to 460	16	33	12	21	...	
114.	House-breaking or lurking house-trespass ..	453, 456	302	268	62	204	1	1 Escaped.

Judicial Statement B2.—(*Contd.*)

	Description of offences.	Section of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	REMARKS.
	Without violence.							
115.	Theft. Of Cattle ...	379 to 381	1,279	1,493	261	1,190	1	41 Transferred.
116.	" Ordinary ..		12,536	6,864	1,110	5,740	6	2 Escaped, 6 transferred.
117.	Dishonestly receiving stolen property ..	411 to 414	453	662	183	477	2	
118.	Dishonest mis-appropriation of property ..	403, 404	204	266	86	178	1	1 Escaped.
119.	Criminal breach of trust ... Cognizable ...	406 to 408	303	266	93	168	3	2 Transferred.
	Non-Cognizable ...	409	49	55	19	30	3	2 Escaped, 1 transferred.
120.	Cheating ...	417 to 420	204	275	132	127	7	7 Escaped, 1 died, 1 tranfd.
	Malicious offences.							
121.	Mischief ordinary ... Cognizable ...	430 to 433	21	17	8	9	...	
	Non-Cognizable ...	426, 427	211	423	225	188	10	
122.	" by poisoning or killing animals ...	428, 429	45	66	22	44	...	
123.	" by destroying land-marks ...	434	24	55	24	31	...	
124.	" serious by fire ...	435, 436, 438	149	32	15	16	1	
125.	" to vessels ...	437, 439	..	...	...	...	...	
126.	Criminal trespass or house-trespass ...	447, 448	922	1,468	540	922	3	3 Escaped.
127.	Breaking open closed receptacle ...	461, 462	7	4	2	2	...	
128.	Abetments or attempts of the above offences Class III ..	...	69	131	25	106	..	
	TOTAL OFFENCES UNDER CLASS III. ...		23,875	14,829	3,280	11,424	50	75

Class IV.								
OFFENCES NOT INCLUDED IN THE ABOVE CLASSES.								
Other offences against the Indian Penal or Criminal Procedure Codes.								
129	Belonging to a gang of Thugs ...	311	...	..	...	..	...	
130.	Belonging to a gang of Dacoits ...	400	-	.	...	...	...	
131.	Belonging to a gang of Thieves ...	401	2	15	27	..	...	
132.	Criminal breaches of contracts of service ...	493 to 492	18	65	31	34	..	
133.	Apprehended breaches of the peace separately inquired into	C. Cr P. 491 to 438	20	53	7	48	..	
134	Vagrancy ...	Do. 504	190	317	94	221	1	1 Escaped.
135.	Bad habit and repute ..	Do. 505, 506	421	50	127	372	2	
136.	Abetments or attempts of the above offences Class IV.		1	2	..	2		
	Total	offences under Class IV. .	752	933	244	677	3	1
OTHER OFFENCES AGAINST SPECIAL LAWS.								
Breaches relating to—								
137.	Acquisition of land ...	Act X. of 1870, 52	..	..	..	...	...	
138.	Apprentices ...	Act XIX of 1850. 13 15	.	..	.	..	—	
139.	Arms ... Cognizable ...	Act XXXI of 1860; 23	3	13	.	13	..	
	Arms ... Non-Cognizable ..	Acts XXXI. of 1860, except 23 and VI. of 1866	16	16	3	13	..	
140.	Cattle trespass .	Act I. of 1871, 24, 26 27	290	493	198	294	...	1 Escaped.
141.	Certain disputes between workmen on railways and other public works and their employers .	Act IX. of 1860, 8	...	—	..	..	...	
142.	Contagious diseases ..	Acts XXII of 1864, 15, Clause 7 and XIV of 1868	63	67	4	62	1	
143.	Contracts by artificers, workmen and labourers in certain cases	Act XIII. of 1859, 2, 3	.	...	.	...	...	
144.	Electric Telegraph ..	Act VIII of 1860	..	...	..	..	...	
145.	Emigration ..	Act VII. of 1871, 72 to 76	...	...	..	..	...	

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Judicial Statement B 2—*Contd.*

Description of Offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
146. European vagrancy ..	Act IX of 1874	...	..	...	..	..	
147. Forests ..	Act VII. of 1865	346	683	118	563	1	1 Escaped.
148. Gambling ..	Act III. of 1867	74	491	47	443	...	1 Escaped.
149. Indian Christian marriages .. Cognizable ...	Act XV. of 1872, 68, 71, 73 to 75	...	..	...	...	..	
149. Indian Christian marriages .. Non-Cognizable ...	Act XV. of 1872, 69 70	..	..	...	...	..	
150. Indian Companies ... Cognizable ..	Act X. of 1866, 188	..	...	...	...	...	
150. Indian Companies ... Non Cognizable ...	Act X. of 1866, excepting 188	...	...	...	...	..	
151. Indian weights and measures of capacity ..	Act XXXI. of 1871. 16	..	...	..	...	..	
152. Municipalities and Cantonments ...	Acts XXII. of 1864, and XI. of 1873	155	255	32	221	1	1 Escaped.
153. Opium ...	Acts XIII. of 1857, and X. of 1871	214	266	47	218	...	1 Escaped.
154. Pandhari ...	Act XIV. of 1867, 3 Clause 3	...	...	...	...	...	
155. Paper Currency ...	Act III. of 1871	...	...	...	...	..	
156. Post Office .. Cognizable ..	Act XIV. of 1866, 48	1	1	..	1	...	
156. Post Office ... Non-Cognizable ...	Act XIV. of 1866, excepting 48	10	14	6	8	...	
157. Prisons and Prisoners (only offences and cases tried by Magistrates ... Cognizable ...	Act V. of 1871, Sec. 29	...	...	...	...	...	
157. Prisons and Prisoners (only offences and cases tried by Magistrates ... Non Cognizable ...	Acts V. of 1871, 29 and XXVI. of 1870, 45, 49 and 51	3	6	4	2	...	

158.	Purchase of Soldiers' necessaries		Mutiny Act and Act VII. 1867	1	1	...	1	...	
159.	Railways	Cognizable	Act XVIII. of 1854, 26 amended by Acts LII. of 1869, XIII. of 1870, and XXV. of 1871	56	65	15	49	2	
		Non-Cognizable	Act XVIII. of 1854, excepting 25	10	11	...	11	...	
160.	Registration		Act VIII. 1871, 79, 80	1	4	...	4	..	
161.	Salt and Saltpetre		Acts XIV of 1843, XXXVI of 1845, and XIX. of 1862, as extended by VII. of 1864 XXXI. of 1861, amended by XXXIII. of 1867, and XXV. of 1869	315	508	16	492	...	
162.	Stage carriages		Act XVI. of 1861.	1	1	1	...	...	
163.	Spirits and drugs		Act X. of 1871	585	763	133	626	1	1 Escaped, 2 transferred.
164.	Stamps		Act XVIII. of 1869	246	452	82	366	2	1 Escaped, 1 died.
165.	The Press		Act XXV. of 1867, 12 to 16	...	...	...	...	..	
166.	Volunteers		Act XX of 1869, 21	...	...	...	..	...	
167.	Wilful neglect of Magistrate's order to maintain lunatic		Act XXXVI. of 1858, 5	...	...	...	...	..	
	Total offences against Special Laws ...			2,290	4,111	705	3,337	8	10
	Total Offences under ...		Class I.	4,029	5,539	918	4,527	31	29
			" II.	9,718	18,397	9,979	8,243	106	69
			" III.	23,875	14,929	3,290	11,4[illegible]4	50	75
			" IV.	752	955	284	677	3	1
			" V.	2,290	4,111	706	3,337	8	10
			Grand Total ..	40,654	43,839	15,197	28,258	200	184

Judicial Statement B 3—(Criminal.)

Statement showing the general result of Criminal trials in the tribunals of various classes in the Central Provinces, in the year 1874.

Class of Tribunals.		Number of persons dealt with.							Persons disposed of							
		Remaining at end of last year	Brought to trial during present year: Under arrest by Police	Brought to trial during present year: Upon warrant	Brought to trial during present year: Upon summons	Brought to trial during present year: Voluntarily	Received by transfer	Total	Discharged without trial	Acquitted	Convicted	Committed or referred	Died, escaped or transferred	Remaining at end of year	Average number of days during which each case lasted	Number of witnesses who attended
Village Officers		89	4,337	1,229	9,058	179	2	14,923	3,336	2,116	8,[illegible]	1	47	24	6·4	27,006
Unpaid Magistrates		74	7,754	910	5,8[illegible]3	11	4	14,727	2,464	2,950	9,9[illegible]		42	45	5·4	31,534
Local and subordinate paid Magistrates		68	6,740	1,0[illegible]1	2,818	28	5	10,763	2,[illegible]00	1,200	7,018	112	28	78	5·4	2,[illegible]
Full power paid Magistrates—exercising jurisdiction throughout the District		33	2,[illegible]2	395	749	46	2	3,463	602	8[illegible]	2,353	5[illegible]	69	31	5·7	9,135
Chief Magistrates of Districts																
Total Magistracy	1874	2[illegible]	21,061	4,537	18,498	355	13	44,776	8,802	6,319	28,130	163	179	181	5·8	68,110
	1873	313	23,060	4,193	21,411	497	24	49,498	11,007	7,1[illegible]	30,6[illegible]	257	174	262	6·0	106,054
Commissioners of Division	1874	65	167					232	..	78	139		5	19	60·3	895
	1873	11	252					263		74	125		..	67	79·0	1,0[illegible]
High Court		..		..					..							..
Grand Total	1874	325	21,2[illegible]	4,537	18,19[illegible]	355	13	44,008	8,802	6,3[illegible]	[illegible]	163	184	200	6	99,006
	1873	324	23,312	4,193	21,411	497	24	49,761	11,007	7,266	30,729	257	174	329	6·3	107,128

Judicial Statement B4.—(Criminal).

Statement showing the punishments inflicted by the various Criminal Tribunals in the Central Provinces, in the year 1874.

CLASS OF TRIBUNALS.	Persons sentenced to.												Persons ordered to find or give.			REMARKS.
		Transportation.			Imprisonment.				Fine.		Whipping.					
					Rigorous.											
	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Sureties of the peace.	Recognizance.	Sureties for good behaviour.	
Village Officers ..	...	..	..	..	..	..	...	..	...	..	..	...	..	..	..	
Unpaid Magistrates .	..	..	..	..	90	1,329	90	2	279	7,178	58	156	..	..	50	
Subordinate and local paid Magistrates	...	..	..	...	256	2,652	147	30	868	5,949	130	1,178	..	...	..	
Full power Magistrates of general jurisdiction ...	..	..	..	..	337	2,165	142	19	537	3,405	165	848	61	55	410	
Chief Magistrates of districts ..	..	..	..	...	232	984	17	1	194	837	100	383	15	20	134	
Sessions Courts ...	28	19	..	..	3	59	...	..	14	..	1	..	..	..	..	
High Court ...	..	..	..	..	..	..	..	..	..	..	..	—	..	..	...	
Total ... 1874 .	28	19	..	..	918	7,189	396	52	1,892	17,369	454	2,545	76	75	594	
Total ... 1873 ..	24	15	1	..	776	7,931	346	16	1,793	19,582	505	2,310	96	40	448	

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Judicial Statement B5—(Criminal.)

Statement showing the results of Appeal and Revision in Criminal cases in the Central Provinces, in the year 1874

Tribunals		Number of appellants or persons applying for revision under Section 404, Code of Criminal Procedure	Number of persons: Appeals or applications rejected	Sentences confirmed	Sentences modified	Sentences reversed	Proceedings quashed	Further enquiry or evidence ordered	Pending	Remarks
Magistrates of Districts ...	From unpaid Magistrates.	430	53	158	79	138	1	4	1	
	From paid Magistrates	698	74	310	106	199	...	40	9	
Courts of Session	From unpaid Magistrates	13	4	5	3	1	.	.	.	
	From paid Magistrates	673	117	318	109	124	1	19	9	
Sadar Court, i. e., Court of Judicial Commissioner	Appeals from Courts of Session and Magistrates of districts in the exercise of powers under Section 36 Code of Criminal Procedure	111	4	61	10	25	...	9	11	
	As a Court of Reference	28	.	21	2	3	.	4	2	
	As a Court of Revision .	132		21	42	56	13	1	...	
Total	1874	2,065	252	889	351	546	15	77	32	
	1873	2,221	163	1,163	314	532	1	49	58	

Judicial Statement B11.—(Criminal.)

Statement showing use of Juries and Assessors in the Courts of the Central Provinces, in the year 1874

Classes of Courts in which Juries or Assessors are employed distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case, and prescribed qualifications	Number of cases tried by Jury.	Number of cases with Assessors	Jury trials.			Assessors trials.		Note showing in what classes of cases Juries and Assessors have been principally employed
				Verdict in favor of the prosecutor or plaintiff	Verdict in favor of the accused or defendant	Jury discharged without verdict	Number of cases in which Judges agreed with Assessors	Number of cases in which Judges differed from Assessors	
CRIMINAL COURTS.									
Sessions Courts of Commissioners	Two Assessors in each case The prescribed legal qualifications are education, character, and age		90	.	..		79	11	Criminal trials by or as Courts of Session.
Total . 1874	...	..	90	..		.	79	11	
Total . 1873			99				75	24	

PROVINCIAL STATEMENTS.

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Trial Statement of the Districts

Districts.	Number of cases disposed of.						Number of persons under						
		Summons cases.		Warrant cases			For disposal.						
								Brought to trial during present year.					
	Inquiries under Chapter XV., C. Cr. P.	Trials under Chapter XVI. C Cr. P.	Tried summarily under Chapter XVIII., C. Cr. P.	Tried under Chapter XVII. C Cr. P.	Tried summarily under Chapter XVIII. Cr. C. P.	Total.	Remaining at the end of last year.	Under arrest by the Police.	Upon warrant.	On summons.	Voluntarily.	Received by transfer from beyond the Central Provinces.	Total for disposal.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ..	9	1,980	9	1,648	7	3,653	19	2,259	574	3,354	12	...	6,218
Chanda ..	2	394	50	531	34	1,011	...	935	150	579	9	...	1,673
Bhandara ..	5	448	...	700	18	1,171	12	766	306	968	7	...	2,059
Wardha ..	1	798	24	732	3	1,558	11	828	299	1,349	28	4	2,519
Balaghat ...	1	274	1	417	46	739	8	659	39	409	18	...	1,133
Jubbulpore ...	8	763	306	1,430	284	2,791	24	2,318	359	1,582	63	...	4,346
Saugor ...	6	1,117	255	1,249	223	2,850	37	2,180	445	2,156	43	6	4,867
Damph ...	1	313	18	347	13	692	19	568	86	398	14	1	1,086
Seoni ..	4	450	59	582	111	1,206	41	1,013	135	671	43	...	1,903
Mandla ...	3	107	17	230	60	417	4	485	31	162	16	..	698
Hoshangabad ..	14	1,340	36	806	55	2,251	21	1,565	123	2,335	21	...	4,065
Betul ...	16	583	53	466	40	1,158	26	986	90	648	25	..	1,775
Narsinghpur ..	4	576	3	897	5	1,485	1	1,278	194	779	24	1	2,277
Chhindwara ...	18	371	...	300	7	696	7	496	88	606	5	..	1,202
Nimar ...	4	393	187	460	90	1,134	7	856	125	627	33	..	1,648
Raipur ...	27	766	36	1,018	135	1,982	11	1,889	212	942	..	..	3,054
Sambalpur ..	1	182	73	373	108	737	8	768	23	277	...	...	1,076
Bilaspur ...	10	322	82	552	110	1,076	3	978	221	533	16	...	1,751
Upper Godavari ...	...	97	33	95	7	232	1	236	57	123	8	1	426
Total ... 1874...	134	11,274	1,242	12,833	1,356	26,839	260	21,063	3,557	18,498	385	13	43,776
Total ... 1873.	178	14,129	799	13,742	552	29,400	313	23,060	4,193	21,411	497	24	49,498

MENT No. II.

of the Central Provinces, for the year 1874.

enquiry and trial during the year.											
Disposed of.							Remaining.				
Discharged.											
Complainant absenting himself or withdrawing complaint.	In other cases.	Acquitted.	Convicted.	Committed.	Died, escaped, or transferred beyond the Central Provinces.	Total disposed of.	Over 2 months.	November.	December.	Total remaining.	REMARKS.
15	16	17	18	19	20	21	22	23	24	25	26
676	880	1,089	3,479	19	15	6,158	1	2	57	60	
118	240	193	1,113	1	...	1,665	..	...	8	8	
349	253	241	1,182	5	25	2,055	2	..	2	4	
228	415	354	1,517	...	...	2,514	..	..	5	5	
167	131	115	702	2	5	1,125	..	...	8	8	
441	284	802	2,802	14	...	4,343	..	...	3	3	
461	495	578	3,307	8	15	4,864	1	..	2	3	
84	130	139	695	1	30	1,079	.	...	7	7	
268	174	237	1,188	11	5	1,883	5	...	15	20	
62	92	79	464	1	...	698	...	...	...	..	
619	124	838	2,402	57	9	4,049	.	..	16	16	
159	138	225	1,242	7	4	1,775	...	...	..	...	
44	208	379	1,634	7	3	2,275	..	...	2	2	
100	105	235	738	5	14	1,197	...	..	5	5	
196	92	149	1,165	4	18	1,624	...	1	23	24	
218	323	297	2,179	12	24	3,053	...	...	1	1	
77	42	96	857	1	1	1,074	1	...	1	2	
77	251	238	1,163	10	4	1,743	5	...	3	8	
10	68	35	301	...	7	421	4	..	1	5	
4,354	4,448	6,319	28,130	165	179	43,595	19	3	159	181	
6,036	4,971	7,192	30,606	257	174	49,236	8	25	229	262	

Punishment Statement of the Districts

Districts.	Number of persons sentenced to—																		
	Death.	Transportation		Imprisonment, otherwise than in default of fine or security									Fine only.	Whipping only.	Give security for good behaviour.	Enter into bond to keep the peace (S. 45, C. Cr. P.)			Total.
		For life.	For a term.	Above 2 years.	2 years and under		6 months and under.		2 months and under		15 days and under.					With sureties.	Without sureties.	Any other primary punishment	
					Rigorous.	Simple.	Rigorous.	Simple.	Rigorous	Simple.	Rigorous	Simple.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Nagpur	...	...	...	20	116	...	198	1	205	7	89	35	2,511	108	167	8	8	...	3,473
Chanda	...	...	...	6	53	...	94	1	114	6	65	4	653	114	3	...	...	...	1,113
Bhandara	...	...	...	4	52	...	87	4	77	5	77	6	668	182	3	...	...	16	1,181
Wardha	...	...	...	20	29	...	62	2	93	5	72	12	1,154	40	28	...	...	...	1,517
Balaghat	...	...	...	...	36	...	74	...	97	2	24	1	277	182	5	...	...	4	702
Jubbulpore	...	...	...	8	153	...	211	6	240	19	97	28	1,715	245	57	21	2	...	2,802
Saugor	...	...	...	5	79	1	284	5	240	13	140	14	2,212	294	16	...	4	...	3,307
Damoh	...	...	...	2	72	...	89		58	2	26	1	394	48	3	...	...	...	695
Seoni	...	...	...	8	34	...	197	5	144	6	20	1	569	129	112	3	...	...	1,188
Mandla	...	...	...	2	3	...	77	1	53	4	16	6	145	143	13	1	...	...	464
Hoshangabad	...	...	...	4	74	...	136	5	161	12	97	14	1,776	78	24	11	10	...	2,402
Betul	...	...	...	2	49	...	154	1	106	4	30	6	747	101	42	...	...	...	1,242
Narsinghpur	...	...	...	8	63	...	172	7	148	6	83	18	1,021	91	17	...	...	...	1,634
Chhindwara	...	...	...	18	46	...	80	1	55	9	14	1	476	34	4	...	...	...	738
Nimar	...	...	...	2	56	...	76	1	106	6	41	1	769	76	31	...	...	...	1,165
Raipur	...	...	...	3	56	...	250	2	256	20	86	15	1,199	237	55	...	...	...	2,179
Sambalpur	...	...	...	3	24	...	74	2	83	10	34	17	381	220	9	...	...	...	857
Bilaspur	...	...	...	6	73	3	134	...	163	4	78	17	457	223	4	...	1	...	1,163
Upper Godavari	...	...	...	6	6	...	8	...	17	3	7	8	245	...	1	...	...	...	301
Total ... 1874	...	...	...	127	1,074	4	2,417	44	2,416	143	1,096	205	17,369	2,545	594	44	28	20	28,123
Total ... 1873	...	...	1	139	1,048	1	2,752	35	2,585	110	1,327	200	19,579	2,310	448	44	7	4	30,590
Courts of Session 1874	28	19	...	34	11	...	3	...	16	...	1	...	...	...	...	...	...	...	106
Courts of Session 1873	24	15	...	42	29	...	3	...	1	...	...	...	3	...	...	...	...	...	122
Grand Total 1874	28	19	...	161	1,085	4	2,420	44	2,426	143	1,097	205	17,369	2,545	594	44	28	20	28,229
Grand Total 1873	24	15	1	186	1,077	1	2,755	35	2,586	110	1,327	200	19,582	2,310	448	44	7	4	30,712

MENT No. III.

of the Central Provinces, for the year 1874.

Number of persons sentenced to additional punishments.							Number of persons sentenced to fine					Number of persons sentenced to whipping				Number of persons.		
					Required to give													
Fine in addition to imprisonment, or other punishment, not including whipping	Whipping in addition to imprisonment, with or without hard labor.	Whipping in addition to fine only.	Solitary confinement	Forfeiture of property	Recognizance to keep the peace.	Security to keep the peace	Above Rs 50	Rs 50 and under	Rs 20 and under	Rs 5 and under.	Total	21 to 30 stripes	11 to 20 stripes	10 stripes or less.	Total	To whom compensation has been ordered to be paid from fines (S. 503, C. Cr. P.)	Ordered to pay compensation to accused persons (S. 250, C. Cr. P.)	REMARKS
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
146	33	...	54	...	...	7	20	106	337	2,194	2,657	26	72	43	141	140	124	
109	1	...	81	3	...	..	5	18	106	639	762	38	58	36	132	125	14	
64	35	3	29	...	...	..	2	15	102	612	732	18	122	80	220	126	28	
42	11	...	32	13	...	...	5	32	167	990	1,196	5	28	18	51	72	59	
55	4	1	55	...	...	...	...	14	53	265	332	15	139	33	187	94	8	
178	48	...	88	...	13	13	11	90	318	1,474	1,893	74	155	64	293	137	36	
222	67	...	182	...	10	1	20	89	676	1,649	2,434	108	193	60	361	306	110	
50	28	...	51	...	...	..	4	37	101	299	444	46	19	11	76	81	12	
77	19	..	34	...	...	1	15	43	142	446	646	42	76	30	148	67	15	
17	11	...	2	...	...	..	4	12	48	98	162	55	47	52	154	48	10	
179	22	1	26	...	87	8	24	76	350	1,505	1,955	11	50	40	101	63	103	
144	23	...	73	..	...	.	10	46	144	691	891	15	81	28	124	32	58	
102	32	...	67	...	20	1	4	42	232	845	1,123	22	67	34	123	162	28	
93	20	...	43	...	...	..	1	13	112	443	569	14	25	15	54	39	26	
51	7	..	12	...	...	..	4	57	161	505	820	30	43	10	83	105	11	
133	10	14	44	...	..	..	2	62	187	1 081	1,332	69	126	72	267	199	19	
80	15	1	17	..	...	...	1	21	81	358	461	8	171	57	236	153	19	
117	23	...	25	...	..	1	13	26	104	431	574	108	102	36	246	25	21	
19	1	..	...	...	...	...	3	2	20	233	264	1	...	..	1	8	1	
1,878	433	20	915	52	50	32	148	801	3,450	11,848	19,247	705	1,574	719	2,998	1,982	702	
1,778	491	14	764	16	33	54	198	891	3,46	16,826	21,383	692	1,321	798	2,811	1,705	629	
14	..	...	3	...	...	..	2	3	...	9	14	1	..	..	1	...	...	
13	...	...	12	..	..	...	8	6	2	...	16	...	...	...	..	2	..	
1,892	433	20	918	52	50	32	150	804	3,450	14,857	19,261	706	1,574	719	2,999	1,982	702	
1,793	491	14	776	16	33	54	206	897	3,470	16,826	21,399	692	1,321	798	2,811	1,707	629	

* The difference of 7 less between the total in column 20 of this Statement and column 18 (convicted) of Statement II is owing to the persons having been sentenced to single punishments for two offences in each instance

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Fine Account of the Districts of

Districts.	A.—ADMINISTRATION.																	
	Amount of realization									Amount realized &c.								
	Balance remaining to be realized at the close of last year.			Amount of fines imposed during the year.			Total for realization.			Realized during the year			Become unrealizable					
													Owing to reversal of sentence.			Through lapse of time, and struck off under sanction of the Deputy Commissioner.			Total.		
1	2			3			4			5			6			7			8		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
Nagpur ...	5,571	4	6	16,505	1	3	22,076	5	9	13,061	3	9	1,361	11	9	1,365	1	9	15,788	1	3
Chanda ...	2,310	12	2	3,703	4	0	6,014	0	2	3,311	6	6	24	0	0	301	13	3	3,637	3	9
Bhandara ...	2,381	0	9	3,139	12	1	5,520	12	10	3,177	13	7	125	0	0	1,786	15	0	5,089	12	7
Wardha ...	2,407	10	3	5,758	15	6	8,166	9	9	5,533	1	5	105	0	0	966	13	5	6,604	14	10
Balaghat ...	852	15	5	1,803	13	0	2,656	12	5	1,760	6	0	0	1	0	135	3	0	1,895	10	0
Jubbulpore ...	15,570	6	7	12,667	3	0	28,237	9	7	12,617	8	8	615	0	0	2,961	0	11	16,193	9	7
Saugor ...	11,053	6	1	18,371	11	0	29,425	1	1	14,916	10	1	665	0	0	3,878	10	0	19,460	4	1
Damoh ...	2,234	12	7	3,781	1	0	6,015	13	7	2,892	8	4	30	0	0	298	6	2	3,490	14	6
Seoni ...	6,922	6	2	6,969	11	0	13,962	1	2	5,119	0	9	1,141	5	6	377	4	0	6,638	0	9
Mandla ...	1,197	11	11	1,743	5	10	2,941	1	9	1,752	15	10	...	...	...	361	1	11	2,114	1	9
Hoshangabad ...	11,111	12	6	12,581	2	0	23,692	14	6	11,114	14	3	9	0	0	6,208	5	1	17,413	3	4
Betul ...	8,694	11	8	6,484	8	9	15,179	4	5	5,655	17	3	378	10	6	5,602	8	8	11,637	2	5
Narsinghpur ...	6,865	2	2	6,767	8	5	13,632	10	5	6,769	8	1	190	0	0	3,876	4	1	10,835	12	2
Chhindwara ...	2,518	13	9	2,832	9	0	5,351	6	9	2,794	10	4	...	...	...	279	4	7	3,073	14	11
Nimar ...	2,649	2	11	5,790	10	2	8,439	13	1	5,632	6	4	...	...		1,538	12	8	7,171	3	0
Raipur ...	4,047	0	9	7,140	2	0	11,187	2	9	7,174	0	3	55	0	0	817	6	4	8,046	6	7
Sambalpur ...	2,194	4	11	2,748	11	0	4,942	15	11	2,439	6	0	12	0	0	594	7	6	3,045	13	6
Bilaspur ...	4,268	9	11	4,845	1	0	9,113	10	11	3,428	14	3	1,330	10	6	631	6	0	5,399	14	9
Upper Godavari ...	1,060	13	0	1,213	4	0	2,274	1	0	834	15	4	...	...	...	103	6	0	938	5	4
Total ...	93,982	14	0	124,847	5	10	218,830	3	10	109,987	11	0	6,402	7	3	32,084	2	10	1,48,474	5	1
Of the Court of Session.	11,147	14	3	495	0	0	11,642	14	3	697	11	2	...	...	...	776	7	0	1,474	2	2
Grand Total ...	105,130	12	3	125,342	5	10	230,473	2	1	110,685	0	2	6,402	7	3	32,860	9	10	1,49,948	7	3

MENT No. IV.

the Central Provinces, for the year 1874.

Balance to be realised.			B. CASH. Dr. Balance in hand at the close of last year.			Total of Columns 5 and 10.			Cr. Paid as compensation to complainants or injured parties.			Paid as rewards.			Refunded on account of fines reversed after realization.			Paid into the Treasury to the credit of Government.			Total.			Dr. Balance in hand or in deposit.			REMARKS.
9			10			11			12			13			14			15			16			17			18
Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	
6,288	4	6	482	8	6	13,543	12	3	750	5	0	154	0	0	225	0	0	12,065	10	6	13,194	15	6	348	12	9	
2,376	12	5	255	12	10	3,567	3	4	204	7	10	40	0	0	40	0	0	3,192	0	3	3,476	8	1	90	11	3	
431	0	3	398	11	9	3,576	9	4	304	8	0	45	2	0	64	0	0	3,050	2	7	3,463	12	7	112	12	9	
1,561	10	11	135	8	0	5,668	9	5	149	13	9	233	0	0	70	8	0	5,078	11	8	5,532	1	5	136	8	0	
761	2	5	118	2	0	1,878	8	0	156	7	3	61	4	0	51	7	0	1,491	14	3	1,761	0	6	117	7	6	
12,044	0	0	174	0	0	12,791	8	8	1,445	9	6	322	8	0	502	0	0	10,464	1	2	12,734	2	8	57	6	0	
9,964	13	0	739	6	9	15,656	0	10	1,027	8	5	309	8	0	25	0	0	13,309	15	5	14,671	15	10	983	1	0	
2,524	15	1	52	6	0	2,914	14	4	219	3	3	74	0	0	115	1	3	2,523	13	10	2,932	2	4	12	12	0	
7,324	0	5	...	...	...	5,119	6	9	125	6	9	116	8	6	...	...	...	4,877	7	6	5,119	0	9	...	...	...	
827	0	0	12	0	0	1,762	13	10	335	13	7	76	2	0	179	0	0	1,064	0	3	1,654	15	10	110	0	0	
6,279	11	2	467	3	0	11,582	1	3	348	13	0	221	10	0	157	0	0	10,478	13	3	11,206	4	3	375	13	0	
3,542	2	0	328	8	0	5,984	7	3	136	14	0	775	8	6	114	12	0	4,837	8	9	5,864	11	3	119	12	0	
2,796	14	3	643	2	11	7,412	11	0	601	6	6	286	1	0	48	0	0	6,197	5	6	7,132	13	0	279	14	0	
2,277	7	10	158	10	2	2,953	4	6	234	8	0	87	4	0	15	0	0	2,574	12	6	2,911	8	6	41	12	0	
1,268	10	1	2,054	14	9	7,687	5	1	1,898	0	7	170	4	11	...	...	...	5,325	14	10	7,594	4	4	93	0	9	
3,140	12	2	1,188	13	3	8,362	13	6	1,472	1	3	365	14	0	15	0	0	6,124	12	11	7,977	12	2	385	1	4	
1,897	2	5	299	0	6	2,738	0	6	305	14	0	250	11	0	5	0	0	2,022	2	9	2,583	11	9	155	10	9	
3,713	12	2	146	12	0	3,575	10	3	380	8	0	88	0	0	290	0	0	2,753	8	3	3,512	0	3	63	10	0	
1,335	11	8	10	4	0	845	3	4	116	1	0	68	8	0	...	...	...	660	2	4	844	11	4	0	8	0	
70,355	14	9	7,665	12	5	1,17,653	7	5	10,213	5	8	3,745	13	11	1,916	12	3	98,292	14	6	114,168	14	4	3,484	9	1	
10,168	12	1	143	0	0	840	11	2	39	11	6	..	...	...	...	...	...	800	15	8	840	11	2	...	...	...	
80,524	10	10	7,808	12	5	1,18,494	2	7	10,253	1	2	3,745	13	11	1,916	12	3	99,093	14	2	115,009	9	6	3,484	9	1	

Duration Statement of the Districts of the Central

DISTRICTS.	A. POLICE CASES.												
	No. of Cases.												
	Detail according to their duration.										Total number of cases.	Total number of days	Average duration in days and tenths of days of each case
	1 day.	2 days.	3 days.	4 days.	5 to 7 days.	8 to 10 days.	11 to 15 days.	16 to 20 days.	21 to 30 days.	Above 30 days.			
1	2										3	4	5
Nagpur	1,116	245	81	57	57	58	19	9	13	4	1,659	3,731	2·2
Chanda	408	39	30	9	29	17	23	13	3	10	581	2,204	3·9
Bhandara	347	55	25	36	33	22	9	...	2	...	529	1,227	2·3
Wardha	398	100	31	16	32	13	11	5	4	2	612	1,499	2·4
Balaghat	361	30	12	7	16	14	11	4	2	...	454	934	2·1
Jubbulpore	1,333	112	75	37	55	29	11	2	3	3	1,660	2,870	1·7
Saugor	1,279	97	46	31	38	25	23	9	4	4	1,556	3,004	1·8
Damoh	288	30	5	6	12	9	10	4	6	12	382	1,495	3·9
Seoni	565	90	34	8	25	18	17	5	4	3	769	1,579	2·0
Mandla	235	29	10	3	10	2	5	...	2	...	296	529	1·7
Hoshangabad	729	124	50	27	44	39	41	20	9	1	1,084	3,014	2·7
Betul	572	52	18	14	21	8	11	3	1	3	703	1,312	1·9
Narsinghpur	772	57	17	15	25	7	5	1	1	...	900	1,299	1·4
Chhindwara	261	28	11	6	15	8	7	2	...	...	338	645	1·9
Nimar	526	84	24	14	21	10	3	2	1	1	686	1,178	1·7
Raipur	998	112	25	34	36	37	21	9	10	3	1,285	2,784	2·1
Sambalpur	469	51	13	4	11	2	6	1	...	8	565	1,180	2·0
Bilaspur	437	64	26	11	26	15	24	6	6	7	622	1,810	2·9
Upper Godavari ...	69	12	9	2	7	2	2	1	2	3	109	536	4·9
Total.. 1874..	11,163	1,411	542	337	513	332	259	96	73	64	14,790	32,830	2·2
Total.. 1873...	11,144	1,481	655	403	629	356	273	149	86	93	15,269	38,558	2·5

MENT No. V.

Provinces, for the year 1871.

B CASES ON COMPLAINT											
No. of cases											REMARKS
Detail according to their duration								Total number of cases (plus Col 3 corresponding with Col 7 Stt II)	Total duration in days	Average duration in days of each case	
1 to 4 days	5 to 7 days	8 to 10 days	11 to 15 days	16 to 20 days	21 to 30 days	31 to 45 days	Above 45 days				
6								7	8	9	10
367	516	445	355	136	118	42	15	1,994	20,338	10	
100	118	76	72	30	25	6	3	430	4,058	9	
148	151	157	105	31	30	12	2	642	5,831	9	
168	266	185	139	85	67	22	14	946	10,364	11	
41	41	77	66	32	23	1	1	285	3,098	11	
396	316	177	124	67	33	12	6	1,131	8,165	7	
399	360	258	187	51	28	9	2	1,294	9,905	8	
105	81	51	38	16	14	4	1	310	2,522	8	
89	57	88	113	43	31	12	4	437	4,907	11	
27	23	37	12	8	8	4	2	121	1,239	10	
226	262	199	190	110	87	59	34	1,167	14,245	12	
69	100	114	105	38	23	6	...	455	4,442	10	
68	77	119	127	93	68	25	8	585	7,692	13	
42	83	69	93	37	28	4	2	358	4,067	11	
152	132	71	49	18	15	5	3	448	3,184	7	
91	116	126	175	78	58	36	17	697	9,256	13	
41	74	32	12	7	2	2	2	172	1,393	8	
63	64	83	86	71	60	16	11	454	5,993	13	
67	20	15	7	1	4	3	6	123	1,233	10	
2,662	2,860	2,382	2,055	955	722	280	133	12,049	1,21,932	10	
3,297	3,515	2,757	2,227	1,075	782	327	151	14,131	1,40,033	10	

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CRIMINAL STATEMENT No. VI.

Witness Statement of the districts of the Central Provinces, for the year 1874.

Districts.	Number of witnesses discharged after											Amount paid by Magistrates on the part of Government as expenses of complainants or witnesses.			Remarks.
	1 day	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 to 10 days.	11 to 15 days.	16 days and upwards.	Total number of witnesses				
1	2	3	4	5	6	7	8	9	10	11	12	13			14
												Rs.	A.	P	
Nagpur ..	12,330	1,314	347	80	51	40	12	6	...	...	14,186	490	0	0	
Chanda ...	6,289	357	220	77	43	17	7	17	8		4,035	1,387	4	0	
Bhandara ..	3,580	153	68	3	8	...	...	...	...	...	3,812	284	12	0	
Wardha ..	5,150	356	54	5	...	..	...	...	...	...	5,565	209	8	0	
Balaghat ..	2,217	147	45	17	...	..	..	2	...	...	2,428	385	11	0	
Jubbulpore ..	8,702	348	56	20	20	11	...	14	..	...	9,171	490	13	9	
Saugor ..	9,602	471	50	22	...	..	...	...	..	..	10,145	1,029	15	0	
Damoh ..	2,198	71	23	14	6	7	...	...	..	..	2,319	175	11	6	
Seoni ...	3,447	306	75	34	35	3	13	8	..	.	3,981	68	2	0	
Mandla ...	1,664	150	50	12	..	...	..	...	..	..	1,876	158	2	0	
Hoshangabad ..	6,693	367	26	37	3	1	3	4	.	..	7,134	176	1	6	
Betul ...	4,348	351	50	2	6	5	...	..	..	..	4,762	274	15	0	
Narsinghpur ...	5,739	118	66	14	...	..	...	...	..	...	5,937	431	0	6	
Chhindwara ...	2,798	81	11	2	...	...	...	1	..	..	2,893	206	11	0	
Nimar ...	3,670	408	93	17	10	...	...	...	...	...	4,198	415	11	0	
Raipur ...	6,909	241	48	...	...	...	..	...	..	...	7,198	162	6	0	
Sambalpur ...	2,840	225	36	..	...	...	...	...	..	...	3,101	116	7	0	
Bilaspur ...	4,035	339	125	23	2	...	...	...	...	...	4,524	349	13	0	
Upper Godavari ..	760	41	25	4	15	...	...	...	...	..	845	94	4	0	
Total ... 1871 ...	89,977	5,904	1,468	383	199	84	35	52	8	...	98,110	6,907	4	3	
Total ... 1873 ...	95,343	7,417	1,935	601	122	56	29	41	8	12	106,064	2,207	8	3	

CRIMINAL STATEMENT No. VII.

Appeal Statement of the several Courts of the Central Provinces, for the year 1874.

Appellate Courts	Persons. For disposal. Remaining from last year.	Appealed during the present year	Total.	Disposed of— Appeals rejected (Section 278, C.Cr.P.)	Sentences confirmed	Sentences altered. Reduced	Enhanced, or in (appeals from acquittals) passed.	Sentences reversed.	Proceedings quashed (i. e. annulled, S. 248, C. Cr. P.)	Total disposed of.	Number of persons of Col. 11 in respect of whom further enquiry or evidence was ordered	Remaining. Total.	More than one month	Cases disposed of— Total.	Total duration in days.	Average duration.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Court of the Judicial Commissioner	9	102	111	4	61	10	..	25	...	100	9	11	1	69	2,234	32·4	
Court of Session.																	
Nagpur Division	...	160	160	57	35	19	..	45	1	157	9	3	...	142	249	17·4	
Jubbulpore do.	7	220	227	37	118	36	12	20	...	223	10	4	...	166	2,316	14·0	
Narbada do.	21	201	225	11	142	32	5	35	...	225	...	...	...	145	5,846	40·3	
Chhattisgarh do	1	73	74	16	23	6	2	25	..	72	...	2	...	56	894	15·9	
Magistrates of Districts																	
Nagpur	...	134	134	1	31	22	3	74	.	134	29	...	...	61	912	15·0	
Chanda	...	8	8	3	...	3	..	2	..	8	...	..	..	7	97	13·9	
Bhandara	...	20	20	...	7	3	...	4	...	14	...	6	6	13	96	7·3	
Wardha	...	80	80	..	41	7	2	30	...	80	6	..	...	60	535	8·9	
Balaghat	...	16	16	7	1	2	...	6	...	16	...	...	..	16	97	6·1	
Jubbulpore	..	107	107	..	43	18	2	44	..	107	...	..	...	[illegible]	652	9·4	
Saugor	..	150	150	..	100	17	...	33	...	150	1	..	..	96	720	7·5	
Damoh	...	23	23	1	18	2	...	2	..	23	...	...	...	16	185	11·5	
Seoni	...	45	45	..	35	3	2	5	...	45	1	...	...	30	212	7·0	
Mandla	...	24	24	5	9	4	1	5	..	24	1	...	...	23	102	4·4	
Hoshangabad	...	97	103	33	25	13	...	32	..	103	1	..	...	65	544	8·4	
Betul	...	106	110	1	64	18	6	19	1	109	3	1	...	74	627	8·5	
Narsinghpur	..	100	104	..	40	23	3	37	..	103	...	1	...	69	803	11·6	
Chhindwara	...	26	26	9	7	8	...	2	...	26	...	...	...	13	112	8·6	
Nimar	...	16	16		12	1	...	3	...	16	...	..	...	10	19	1·9	
Raipur	...	118	118	65	19	11	...	23	...	118	..	...	...	69	510	7·3	
Sambalpur	...	3	3	...	...	1	.	2	...	3	.	...	...	3	29	9·6	
Bilaspur	...	39	39	2	12	9	...	14	...	37	1	2	...	26	109	4·2	
Upper Godavari	1	1	2	...	1	1	...	...	...	2	...	...	...	2	33	10·5	
Total ... 1874	57	1,868	1,925	252	847	269	38	487	2	1,895	71	30	7	1,300	17,938	13·8	
Total ... 1873	29	2,037	2,066	163	1,098	234	61	452	...	2,008	50	58	16	1,390	21,014	15·1	

No. $\frac{1057}{43}$

FROM

J. W. NEILL, ESQUIRE,

OFFG. SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE REGISTRAR,

JUDICIAL COMMISSIONER'S COURT,

Central Provinces.

Dated Nagpur, the 22nd March 1876.

SIR,

I am directed to acknowledge the receipt of the Judicial Commissioner's report on the administration of justice by the Criminal Courts during the past year.

2 The number of offences of all kinds reported was 40,948, compared with 40,621 in 1874; but, as is pointed out in paragraph 4, but for a large increase of prosecutions for public nuisances and breaches of special laws, there would have been a considerable diminution in the number of reported offences, and it is shown that offences against property, thefts, burglaries, &c., numbered in the past year only 20,936, compared with 22,415 in 1874. This satisfactory result is ascribed to the cheapness of the times, and no doubt correctly so. It is usual to remark more fully on this subject when reviewing the history of the police administration of the year, and the Chief Commissioner will reserve for that occasion the fuller discussion of the question. Only as regards the Chanda district, where offences against property increased in number, does it appear necessary that he should say something now, for the Judicial Commissioner remarks that "in Chanda alone is the increase of a marked kind, and the Deputy Commissioner "while pointing to the possibility of some portion of it being due to workmen "on the new railway works, seems also to attribute it to excessive consumption "of spirits under existing Abkari arrangements in the Chanda district, and on "which the Deputy Commissioner has some earnest remarks." These words caused the Chief Commissioner considerable surprise and some anxiety, and he lost no time in turning to the Deputy Commissioner's report in order to learn the grounds on which that officer charged the excise system with promoting crime.

3. Captain Vertue shows the offences against property thus—

		1874.	1875.
House-breaking	...	258	319
Theft	...	842	1,026

and says :—

"Thefts of all kinds come under the special notice of the police, and the District Superintendent has assigned the following causes for the increase.—

"(a) Rise in prices of rice and jawari, the two chief food grains of the district Taking the two together, the rupee bought 4 seers less in 1875 than 1874,

"(b) the large number of field servants thrown out of regular employment, from their masters having to abandon their fields, owing to the loss of their cattle,

"(c) the increase in grain thefts is attributed in some degree to the receipt by kallars of * grain in payment of liquor *

"I think myself that one and all of those causes may be accepted in explanation of the increase. A difference for the worse too was perhaps to be expected in the Warora circle from the large influx of labourers from other districts whom the works on the Wardha Valley State Railway attracted, but the District Superintendent has not furnished the data necessary to enable me to go into this point in detail, and I therefore can only allude to it here in passing It is perhaps not uncharitable to suppose that a certain number of these men bore indifferent characters in their old districts and may have brought their bad habits with them

"I have not the slightest doubt myself that the reason given by Mr Naylor for the increase in grain thefts is a valid one, and is amply borne out by the facts But though the barter of grain for liquor perhaps received in 1875 a more formal sanction than it ever had before from the question being referred to the Commissioner of Excise, the practice is one of old date in this part of the country and its formal recognition can only partly account for the increase" * * * "The question here discussed is, however, only a part of the much larger and wider one, viz the relation between drink and crime in this country Thanks to ample and oft repeated discussion, it is now pretty generally accepted in England that they stand towards each other in the direct relation of cause and effect Unfortunately the question has not been much gone into in India, and if mooted at all, it has generally been assumed, too hastily I venture to think, that there is no direct relation between the two If this is really true, the question as to how it is that the drinking castes furnish a large majority of the persons convicted of offences against property becomes more perplexing then it seems at first sight"

And in another place he says—

"I am one of those who think that the use of intoxicating drinks often leads to theft, and it seems to me that our Abkari system has a good deal to answer for In this district it has been extended to a degree warranted neither by the means or requirements of the people 326 licenses were given in 1875, and this must surely be considered an excessive number in a district with only 1 378 (excluding Zamindaris) inhabited villages and the majority of whose people are very poor Though paying only Rs 2,24,303 of land revenue the people contributed in 1874-75 Rs 1,08,186 to Abkari, and this sum of course does not represent their total payments, for it does not include the vendors' profits If it be argued that in India drink has nothing to do with crime, it is worth while to remember that this argument is quite contrary to the sad experience acquired in Great Britain and other European countries'

The above is what Captain Vertue has to say

That drunkenness (not drinking) is the frequent cause of crime in England, need not be disputed. But it is difficult to see that that has anything to do with the state of crime in Chanda. The Deputy Commissioner has not shown that there is frequent drunkenness in Chanda, and he has not shown that offences are in reality frequently committed by intoxicated persons or persons who have been drinking He thinks that "the use of intoxicating drink often leads to theft," but he puts forward nothing in support of this opinion, and to hold the excise system as answerable for the number of thefts in Chanda, because the number of licenses to sell liquor was 326, while there are only 1,378 villages, and because the excise revenue is large compared with the land revenue, is idle when it is remembered that the villages in Chanda are scattered over a very large area of waste and jungle country interspersed with cultivation, that more than two thirds of the Chanda excise revenue from spirits is derived from still-head duty, less than one from license fees, and that if shops were not licensed where the people could buy duty-paid liquor conveniently, they have only to provide themselves with a couple of "gharras" (earthen jars) a hollow bamboo and a few sirs of mohwa,

which grows everywhere, to distil for themselves the liquor which is kept from them. Further, the proportion which excise revenue bears to land revenue must always vary with the circumstances of the district. The land revenue of any district can never exceed the economic rent that can be obtained, and that must vary with the amount of land under tillage, the demand for agricultural produce, and the amount of land remaining available for culture. The excise revenue can bear no fixed proportion to it. It is not sufficient then to say that because the excise revenue is large and the number of shops licensed to sell liquor is large, therefore the excise system is responsible for the amount of theft, and yet this is the argument of Captain Vertue, who thinks he clinches his proposition that drinking has a direct connection with crime, by asking how else it happens that the drinking castes furnish a large majority of the persons convicted of offences against property. Had he stopped to think, it might have occurred to him that it would be strange were the fact otherwise, for the drinking castes in Chanda furnish 91 per cent of the total population, and in other districts where the same thing would be observable it is sufficient to remember that the drinking castes are the lowest castes, and therefore generally the neediest, the least educated morally and intellectually, the least nice in their notions of honour and propriety. It is not likely to be disputed that in all countries the lower classes furnish the most offenders against the laws.

The text on which Captain Vertue based his remarks was Mr. Naylor's assertion, that the number of grain thefts had increased because grain could be bartered for liquor. The Chief Commissioner will examine this statement directly, but he would first remark that it is clear that the Deputy Commissioner of Chanda does not mean exactly the same as the class of philanthropists at home who accuse drinking of being the cause of crime. The Deputy Commissioner limits the connection to the case of thefts, and according to him people steal that they may drink. Assuming this to be the case, the promptest way to put down these thefts would be to exempt the manufacture and vend of liquor from all duty, and let every one distil and sell as he pleased, for the abhorrent thing in Chanda is thieving, in England it is drunkenness and its attendant consequences. If liquor becomes so cheap as to lose all or nearly all its exchange value theft to procure liquor will be unheard of.

And now it is time to examine the truth of the statement, that grain thefts have increased because grain can be bartered for liquor. As quoted above, the increase is said to be only *in some degree* attributable to this cause. In what degree, is not stated, but surely the other causes which are cited as having occasioned the increase of thefts and burglaries generally would apply also to grain thefts, especially the higher price of food grains and the distress among agricultural labourers. The Chief Commissioner has obtained the following table showing the number of thefts and burglaries in the Chanda district from the year 1871, the proportion of grain thefts, and the average price of food :—

Year	Thefts ordinary.	Total number of thefts and burglaries	Grain thefts.	Average price of food.		Per cent.
				Sirs.	Cks.	
1871 ...	751	1,102	321	16	11	29·
1872 ...	1,227	1,697	667	15	11	39·
1873 ...	858	1,144	388	23	0	30·
1874 ...	842	1,100	387	27	11	35·
1875 ...	1,026	1,345	489	24	0	36·

It will be observed that in the year 1872, when the price of food grains was highest, the number and proportion of grain thefts was greater than in any other year. The next year prices fell, and there was a fall in the proportion in which grain thefts bore to the total thefts. In 1874 prices still further fell, but grain thefts remained the same in number, and proportionately much more numerous. This last year prices rose, and the proportion of grain thefts to the whole is scarcely higher than it was in 1874. It might seem then that the theory of more extensive barter of grain for liquor during the year 1875 having been the cause of the more numerous grain thefts, has little to support it, and it is much more probable that it is only that more grain thefts are reported, not that more actually take place, for we know that the reporting of petty thefts has been carried to a greater length in Chanda than as yet in any other district. Captain Vertue, however, had said he had not the slightest doubt that the reason given by Mr. Naylor for the increase of grain thefts was a valid one and was "*amply borne out by the facts.*" The Chief Commissioner accordingly thought it desirable to ascertain what these facts were, and asked for some further details. Captain Vertue's answer is—"In using the phrase 'is amply borne out by the "'facts,' I meant to express my own belief that permitting grain to be bartered "for liquor, leads to grain thefts, rather than to assert that the fact itself is one "capable of easy demonstration." Here then a belief is first expressed which is said to be amply borne out by the facts, and when the facts are demanded it is found that the facts are merely the belief.

The Chief Commissioner is surprised that any Deputy Commissioner should so lightly make statements, which if true, would reflect gravely on the government of the country, and that he should choose an official report for the enunciation of crude opinions on a subject which requires deep and careful study.

More than enough has perhaps now been said on the subject, but it was impossible to leave unnoticed a statement, which if true, would have insured the severe condemnation of the Government, and the Chief Commissioner will now only add regarding the circumstances of Chanda and the system of taking an excise on liquor there, that the people in that district have always been remarkable for the amount of mohwa liquor which they consume and for the weakness of the liquor. On the latter point the Commissioner of Excise in his last report said "the people drink a great deal of a spirit that is of the very "mildest description, much of what I tested being 95° under proof;" and the mildness of the spirit is further shown by the fact that the average amount of mohwa used to make a gallon of liquor is less than 2 sirs, while in no other district is less than 5 sirs used for the same quantity, and in some more than 12. A large excise revenue in spirits is moreover accompanied by a correspondingly small revenue from opium and drugs, and any interference with the tastes of the people might lead to most unfortunate results.

Finally, as regards the bartering of grain for liquor, the Chief Commissioner is not at present prepared to condemn the practice or take steps to put it down. In Chanda money is scarce, prices are habitually high. The majority of the people are agriculturists or agricultural labourers; they receive the bulk of their remuneration in grain and kind, and only a very small portion in money. They are in the habit of taking a light stimulant. To prohibit them from bartering their grain for this stimulant, is simply to compel them to sell their grain in the first instance, and then purchase the liquor. They would lose by such a process, and no advantage would accrue to them or to Government. Liquor would be simply dearer to them without the revenue being benefited, and some one else would reap the profit. It is for those who advocate an enhancement of the price of liquor to show either that the Government revenue could be raised or that the people can now obtain and do obtain more liquor than is good for them, and that an enhancement of price would not be defeated by smuggling or illicit distilling.

4. Paragraph 12 shows that the number of accused persons brought before the Magistrates was 44,010, and of these 13,883, or more than 30 per cent, were disposed of by Honorary Magistrates; two thirds by Honorary Magistrates in the interior of districts, and the remainder by Honorary Magistrates at District head-quarters. There can be no doubt that in taking so large a share in the criminal work these gentlemen afford great assistance to the Administration and relieve the stipendiary Magistrates of a multitude of petty cases. The Chief Commissioner is glad to acknowledge the services of those mentioned in paragraph 13.

5. Mr Morris concurs in the remark made in paragraph 13 that the Deputy Commissioners of Narsinghpur, Chanda, Bhandara and Chhindwara and Mandla might have undertaken more criminal work themselves, and thereby acted more in conformity with the views which the Chief Commissioner has more than once expressed. When on tour Deputy Commissioners might readily take up cases which occur near to their camps, and might, while promptly punishing offenders or releasing innocent persons at the same time get a better insight into the working of the police, than they can possibly do when they try only a few cases of exceptional importance. The power of summary trial, of which the Chief Commissioner is glad to see from the Judicial Commissioner's remarks that the experience has been so favourable in the Provinces, affords particular facilities for deciding many cases at the cost of comparatively little time.

6. Out of a total of 44,320 persons brought as accused before the Criminal Courts, 29,676 were convicted, 14,082 acquitted or discharged, 248 died, escaped or transferred, and 314 remained under trial. It is only necessary to remark that few cases remained undisposed of at the close of the year.

7. The Chief Commissioner has nothing to add to the remarks of the Judicial Commissioner on the proportion of persons convicted under the different headings of offences.

8. As regards the punishments inflicted on offenders, the proportion in which each kind of punishment has been used has scarcely varied.

The following table shows this—

	1875.		1874	
Fined ..	18,527	63·6 per cent.	17,369	63·3 per cent.
Fined and whipped ..	13		20	
Total..	18,540		17,389	
Imprisoned only ..	5,522	18·9 per cent.	5,240	18·9 per cent.
„ and fined ..	1,989	6·8	1,892	6·9
„ „ whipped	471	1·7	453	1·6
Total..	7,982 or 27 4		7,585	27·4
Whipped only ..	2,630	9 per cent.	2,545	9·3
Transported ..	63		19	
Sentenced to death ..	32		28	

At page 13 the proportion in which each kind of punishment was awarded is shown for each district separately, and at page 14 a table B. gives the number of convictions in each district for the offences for which imprisonment or whipping is usually more appropriate than fine. The number of persons thus convicted was 10,979, and the number of persons imprisoned or whipped was 10,541, so

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that the Judicial Commissioner thinks when allowance is made for pretty numerous instances in which a fine might be an adequate punishment for certain offences " the statistics seem to indicate that resort to fine rather than to imprison- " ment or whipping is not too frequent." The Chief Commissioner is not able wholly to agree in this opinion. First there is considerable variation between the different districts in the extent to which the various punishments have been used, and when a total is struck the extremes balance each other and the seemingly satisfactory average, a sign of uniform practice is, but the result of balancing excess against defect ; and further there must surely be a considerable number of cases of assault and hurt in which alone 6,015 persons were convicted (all which offences are excluded from table B.) that would deserve the punishment of imprisonment instead of a mere fine, and other less frequent offences would swell the number. The Chief Commisioner is indeed inclined to think, judging from statistics only, that fine is too largely used as a punishment in the Upper Godavari district, in Betul, Chanda, Wardha, Nimar, Hoshangabad and Nagpur, but he is free to admit that there is great difficulty in the way of forming a sound opinion.

9. The degrees of punishment in the matter of imprisonment and whipping are noticed in paragraph 30.

The Chief Commissioner is glad to observe that the percentage of persons imprisoned for less than a fortnight to the total imprisoned has decreased from 17 to 15, and that the percentage of those imprisoned for more than 6 months has increased by 3 He hopes to see a further decrease of short terms of imprisonment between 15 days and 2 months.

The districts of Chanda, Wardha, Hoshangabad, Narsinghpur and Betul show most unfavourably in the matter of very short imprisonments, and Bhandara and Chanda show a large proportion of imprisonments for 2 months and under.

10 The punishment of whipping was inflicted on 8,107 persons, of whom 18 per cent received less than 10 stripes, 53 per cent between 10 and 20, and only 29 per cent over 20. It is impossible to say from the figures only whether the number of stripes awarded is generally determined with sound judgment. The Chief Commissioner has on former occasions remarked on the punishment of whipping, and pointed out that the number of stripes cannot be wholly apportioned to the offence committed, but that the intention is that the offender shall receive a sound whipping, and the number of stripes he can bear must depend in a great measure on his physique, not on his offence. The Chief Commissioner fears that this is not always considered when a sentence of whipping is given. Thus the Deputy Commissioner of Chanda writes :—" The increase in the proportion under " 10 stripes or less is attributable to the large number of persons convicted of " very pettey thefts," and though he adds "but too much leniency has, I fear, been " shown sometimes " he appears not to realize that the pettiness of the theft ought to have very little if anything to do with the number of stripes awarded as the punishment ; and in other districts mistaken notions on the subject of whipping as a punishment must be entertained, or else it is difficult to understand how of the persons punished with whipping by the Cantonment Magistrate of Kamptee 83 per cent should have been sentenced to less then 10 stripes.

11. Fine continues to be by far the most frequent punishment, and for very many classes of offences, it is undoubtedly the most appropriate one. Of the 20,531 persons fined, 78 per cent were fined in sums of Rs. 5 and under, 17 per cent in sums between Rs. 5 and Rs. 20, 4 per cent in sums between Rs. 20 and Rs. 50, and only 1 per cent above Rs. 50.

Small fines are then the rule, and considering the means of the bulk of offenders small fines would be likely to be most frequently imposed. The fines are also in most cases realized, but this, though good evidence of the moderation of the fines imposed, gives less assurance of the sufficiency of the punishment, when it is remembered that 70 per cent of all persons convicted of offences are fined.

12. On the general question of the adequacy of punishments, the Chief Commissioner would remark that he has reason to believe that a tendency to undue leniency in the award of punishments has been in some measure arrested; but that most inadequate punishments are still awarded by Magistrates who ought to know better, is evident from facts recorded in the reports of Deputy Commissioners. Thus in the Wardha district a man was most plainly convicted of giving false evidence. The crime is a common one; one that it is most desirable to put down, and in the case in question there were no palliating circumstances, yet the European Magistrate who convicted the accused sentenced him to 15 days' simple imprisonment and a fine of Rs. 25. The Deputy Commissioner remarks truly on this, "the sentence was quite inadequate."

The following extract again from the report of the Deputy Commissioner of Chanda shows what the Chief Commissioner cannot but consider as a lamentable want of appreciation of the gravity of crime, and of the object and meaning of punishment :—

"During the year under report 24 persons were sentenced by several Magis-
"trates to one day's imprisonment. They were kept under the custody of the
"Nazir or Court Moharrir, and were released when the Court closed for the day.
"Under certain Sections of the Penal Code, Section 380 for instance, imprison-
"ment must be awarded, even when a fine is all that is required." The section referred to concerns theft in a building. The legislature thought, as most men would, that a fine is not an appropriate punishment to such an offence, but the Deputy Commissioner and Magistrates of Chanda refine on the legislature and do what they can to evade the law without disobeying it. The Chief Commissioner must express his regret that the crime of theft in a building is so lightly thought of in Chanda, and if the Chanda Magistrates entertain such views, it is not perhaps surprising that thefts should increase.

Once more. In the Mandla report two cases of culpable homicide not amounting to murder are reported. In the first case, a man, himself unseen, saw his wife leave the road with another man. He followed them, suspecting, in the words of the Deputy Commissioner, "these two were up to no good." From behind a tree he saw them prepare to dishonour him, and rushing out struck the man down with a blow of his hatchet then gave him one or two more blows, and after that ran after his wife and murdered her.

In the second case one man surprised his wife with another. He seized him and they struggled. In attempting to escape after he had shaken himself free, the stranger was tripped up by the husband and fell. Before he could rise he was stunned by a blow on the head from a club, and then the husband seized his hatchet and murdered him.

The above is the description of the cases given by the Deputy Commissioner, and they read strangely like murder; yet the punishment awarded by the Deputy Commissioner was 24 hours' simple imprisonment. It is unnecessary to comment on such a sentence or on its consequences. From these and other cases which have in one way or another come before him, the Chief Commis-

sioner still thinks that in grave cases and cases in which habitual criminals are concerned, and by habitual criminals the Chief Commissioner means persons convicted more than twice, unduly lenient punishments are still too frequently given, and he doubts whether in any case except murder the maximum punishment which the law allows is ever given, and yet the maximum is the only standard which the legislature has given, and it is expected to be reached sometimes.

13. 98,159 witnesses attended before the Magistrates' Courts, of whom 93·7 per cent were not detained beyond 1 day, 4·62 beyond 2 days, and only 1·7 for a longer period. These results are favourable in themselves and are an improvement on the action of the preceding year.

14. The number of persons who appealed was—

To Magistrates of districts	...	826
To Courts of Session	...	889
To Judicial Commissioner	...	197

The manner in which these appeals were disposed of is thus shown :—

		Rejected or dismissed.	Sentence reduced.	Sentence reversed.
Judicial Commissioner	...	58·5	11·7	29·8
Courts of Session	...	75·4	8·4	16·2
Magistrates of districts	...	57·1	19·5	23·4

These results show most favourably for Magistrates with full powers.

The number of sentences reversed is not unduly great considering the comparatively few appeals; but the Chief Commissioner is sorry to see so many (comparatively) sentences reduced. The percentage of sentences reduced to appeals is highest in the case of appeals to Magistrates of districts, and it is strange that reduction of sentence should be so frequently necessary when lenient punishments are the rule, especially with Magistrates having lower powers.

15. The duration of cases is treated of in paragraph 47. 80 per cent of police cases were disposed of in 1 day, 7 per cent in 2 days, and 5 per cent in 3 or 4 days, leaving only few for longer periods. The results for the Province as a whole are satisfactory.

16. There are no other points on which the Chief Commissioner deems it necessary to remark, and I am now only in conclusion to express his obligations to the Judicial Commissioner for the administrative control he has exercised over the Criminal Courts during the past year.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. NEILL,

Offg. Secretary.

Index to the Report on the Administration of Criminal Justice in the Central Provinces, for the year 1875.

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No 271.

FROM

THE REGISTRAR,
JUDICIAL COMMISSIONER'S COURT,
Central Provinces.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,
Central Provinces.

Dated Nagpur, the 16th February 1876.

SIR,

I have the honor to submit the report on the Administration of Criminal Justice in these Provinces during the year 1875, together with the usual Statements.

B 1 —Tribunals
B 2 —Offences and persons
B 3 – II —Trials
B. 4.—III —Punishments.
B 5 —VII – Appeals, &c
B. II –Juries and Assessors
IV.—Fine Accounts
V —Durations.
VI.—Witnesses

Order of subjects

2. The subject will be treated as usual under the following Sections :—

A.—The state of crime (Statement B 2.)
B.—The tribunals (Statement B 1.)
C.—The distribution of business among the several classes of courts (Statement B 3)
D.—The result of trial in the courts of original jurisdiction (Statements B 2 and II.)
E.—Punishments (Statements B. 4—III. and IV.)
F. – Witnesses (Statement VI.)
G.—Appeals, reference and revision (Statements B. 5 and VII.)
H.—Duration of cases (Statements B. 3 and V.)

A.—THE STATE OF CRIME.

Reported crime in the aggregate

3. The reported crime of 1874 and 1875 is exhibited in the comparative table overleaf, according to the main head classification of Statement B 2.

The Inspector General's report has not yet come to hand, but as regards the state of crime, the year may be said to have been uneventful.

General remarks on crime

4. The total number of reported offences has been almost stationary. But for a large increase in prosecutions for public nuisances, and for breach of special laws, there would have been a considerable decrease in the total of reported offences; and that decrease would have been chiefly in offences against property, which fell from 24,920 in 1873, to 22,415 in 1874, and to 20,936 in 1875, owing of course to the reduced temptation to commit petty thefts which exists in cheap times. This decrease in offences against property has been general in all districts except Chanda, Bhandara, Hoshangabad, Betul and Sambalpur. In Chanda alone, however, is the increase of a marked kind, and the Deputy Commissioner while pointing to the possibility of some portion of it being due to workmen on the new railway works, seems also to attribute it to excessive consumption of spirits under existing Abkari arrangements in the Chanda district, and on which the Deputy Commissioner has some earnest remarks.

Public Nuisances, &c.

5. In public nuisances and offences against special laws, there is always a large margin for optional prosecution, and the increase in reported offences of those classes during 1875, appears to be almost entirely owing to greater activity of prosecution within such margin in a few districts. Some further remarks on this head are made in another place.

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Reported

DISTRICTS.	Year.	Class I. Offences relating to coin, stamps, weights and measures.	Offences against public justice.	Offences by public servants.	False evidence, false complaint, or claim and forgery.	Public nuisances.	Offences relating to the public peace.	Abetment of offences under class I.
Nagpur	1874	14	37	9	48	457	33	11
	1875	20	52	14	32	399	51	1
Chanda	1874	11	23	5	8	150	9	...
	1875	9	26	6	5	218	11	...
Bhandara	1874	1	23	1	7	65	2	1
	1875	4	21	3	4	80	6	...
Wardha	1874	7	28	3	3	123	14	...
	1875	2	25	5	4	131	11	...
Balaghat	1874	3	22	6	1	19	12	...
	1875	...	43	9	12	68	9	...
Jubbulpore	1874	16	48	10	17	492	30	5
	1875	20	40	4	14	495	11	3
Saugor	1874	28	120	...	10	391	19	2
	1875	18	89	7	12	595	21	1
Damoh	1874	...	23	3	1	73	12	...
	1875	3	20	1	4	92	5	...
Seoni	1874	7	35	2	4	29	3	1
	1875	9	44	7	15	26	2	1
Mandla	1874	...	15	3	1	...	...	...
	1875	3	16	...	1	4	4	...
Hoshangabad	1874	9	88	14	12	140	28	1
	1875	30	90	3	17	417	46	2
Betul	1874	5	40	4	4	119	12	...
	1875	6	57	4	4	70	13	...
Narsinghpur	1874	12	36	4	5	80	5	...
	1875	5	40	4	5	189	8	...
Chhindwara	1874	1	49	1	5	52	7	...
	1875	6	36	6	5	63	11	...
Nimar	1874	22	44	5	7	183	17	4
	1875	8	52	9	17	269	12	1
Raipur	1874	7	64	10	2	138	12	...
	1875	10	44	3	6	268	12	1
Sambalpur	1874	...	9	1	2	6	8	...
	1875	5	5	...	...	4	4	...
Bilaspur	1874	4	42	4	22	59	6	3
	1875	4	56	9	32	108	13	10
Upper Godavari	1874	1	21	3	6	12	1	2
	1875	...	8	1	6	18	6	...
Total ...	1874	148	767	88	165	2,590	230	30
	1875	162	764	95	196	3,514	256	20

offences.

Class II			Class III				Class IV.		Total		
Offences against the person (serious)	Minor offences against the person.	Abetment of offences under class II.	Offences against property with violence	Offences against property without violence	Malicious offences.	Abetment of offences under class III.	Special offences against the Criminal Code in the above classes.	Other offences against special laws.	Number of offences.	Year.	DISTRICTS.
164	1,489	3	402	1,202	158	8	136	170	4,341	1874	Nagpur
135	1,464	6	386	1,181	142	61	54	154	4,152	1875	
66	268	1	297	916	93	6	4	59	1,916	1874	Chanda
57	320	1	352	1,108	90	8	8	212	2,431	1875	
75	486	1	389	621	69	3	8	36	1,788	1874	Bhandara
37	418	...	411	693	73	1	2	38	1,791	1875	
54	652	...	215	517	95	...	45	88	1,844	1874	Wardha
42	568	3	147	436	113	41	42	72	1,642	1875	
39	237	2	421	696	48	2	12	53	1,573	1874	Balaghat
66	260	...	186	595	60	...	59	98	1,465	1875	
139	892	15	781	1,503	157	13	85	181	4,391	1874	Jubbulpore
163	801	5	559	1,348	187	68	38	259	4,015	1875	
81	756	6	781	961	103	11	19	324	3,612	1874	Saugor
92	539	2	706	920	103	8	26	416	3,555	1875	
34	149	3	271	417	7	2	17	119	1,131	1874	Damoh
36	167	3	211	391	8	21	3	123	1,088	1875	
50	335	5	305	710	59	2	136	102	1,786	1874	Seoni
67	243	2	359	649	45	3	75	150	1,697	1875	
20	94	1	437	588	44	2	21	34	1,260	1874	Mandla
18	101	1	310	534	24	27	17	119	1,209	1875	
127	918	2	767	1,278	100	1	41	251	3,780	1874	Hoshangabad
112	985	13	648	1,365	157	6	50	231	4,172	1875	
54	277	...	389	671	75	...	52	209	1,911	1874	Betul
72	346	2	348	750	106	...	33	393	2 204	1875	
114	42	...	304	942	89	...	22	105	2,139	1874	Narsinghpur
103	360	...	235	772	56	...	24	128	1,949	1875	
52	258	...	226	328	28	...	8	42	1,057	1874	Chhindwara
73	398	2	153	421	31	3	13	53	1,274	1875	
41	215	3	262	667	61	2	38	128	1,701	1874	Nimar
44	290	3	233	634	59	3	25	134	1,793	1875	
113	429	2	330	1,313	81	3	85	165	2,754	1874	Raipur
91	476	...	270	1,033	65	...	51	133	2,463	1875	
19	142	...	130	783	25	2	11	93	1,231	1874	Sambalpur
24	233	1	167	919	27	2	10	49	1,451	1875	
63	234	3	684	819	70	5	8	71	2,097	1874	Bilaspur
90	338	3	627	735	92	6	25	169	2,317	1875	
14	86	...	14	76	17	1	1	54	309	1874	Upper Godavari
10	81	...	12	82	11	...	...	43	280	1875	
1,319	8,338	47	7,405	15,010	1,379	63	752	2,290	40,621	1874	Total
1,332	8,388	47	6,370	14,566	1,449	258	556	2,976	40,948	1875	

6. The following table shows that in respect of offences reported during 1874 and 1875, under the principal heads of non-cognizable crime, there is this year little room for general remark.

Non-cognizable crime in 1874 and 1875.

District.	Year.	Making, using or possessing false weights and measures.	Omitting to give information of offence or giving false information.	Taking valuable thing by or to influence public servant.	Giving or fabricating false evidence.	False charge of offence.	Forgery or fraudulently using or [illegible] forged documents.	Affray.	Enticing a woman with criminal intent.	Adultery.	Assault or use of criminal force.	Criminal intimidation or insult.	Defamation.	Extortion.	Dishonest misappropriation of property.	Cheating.	Mischief ordinary.	Cattle trespass.	Stamps.	Year.	District.
Nagpur	1874	8	6	3	19	3	17	31	29	11	998	122	49	2	14	30	21	21	19	1874	Nagpur
	1875	15	16	2	15	6	7	44	22	8	1,070	146	61	10	21	40	19	18	21	1875	
Chanda	1874	6	17		7	...	...	6	3	3	185	9	10	...	17	4	1	1	13	1874	Chanda
	1875	7	7		4	1	1	8	4	4	232	30	1	...	11	4	3	1	21	1875	
Bhandara	1874	...	2	...	3	1	1	2	18	5	297	111	20	...	7	6	3	4	4	1874	Bhandara
	1875	2	8	...	2	...	...	3	12	1	219	94	8	1	31	..	4	6	1	1875	
Wardha	1874	4	7	2	2	...	...	13	6	11	482	60	12	1	19	8	22	6	32	1874	Wardha
	1875	2	12	4	1	1	1	9	6	6	368	36	18	5	8	13	27	22	10	1875	
Balaghat	1874	1	3	..	1	...	...	9	11	2	162	16	...	6	5	4	4	16	4	1874	Balaghat
	1875	...	18	7	4	5	1	5	11	6	150	18	7	11	9	12	6	8	6	1875	
Jubbulpore	1874	2	9	6	5	6	2	23	9	24	270	73	38	2	13	26	46	27	15	1874	Jubbulpore
	1875	1	10	1	5	4	4	9	15	24	375	46	18	5	10	40	58	35	16	1875	
Saugor	1874	25	10	...	2	3	3	18	4	11	390	210	17	2	8	11	19	13	17	1874	Saugor
	1875	9	23	3	5	1	2	16	10	6	320	26	31	2	6	13	25	18	45	1875	
Damoh	1874	...	9	2	...	.	...	10	2	16	93	10	10	...	9	4	1	26	6	1874	Damoh
	1875	2	1	...	2	...	1	5	4	10	112	2	19	...	5	5	1	13	11	1875	
Seoni	1874	6	4	...	2	2	...	3	2	8	237	4	8	12	31	15	12	10	10	1874	Seoni
	1875	4	11	2	7	4	...	2	6	10	170	2	18	10	4	13	8	5	29	1875	
Mandla	1874	...	1	2	1	...	...	...	3	...	70	1	2	5	3	8	3	4	2	1874	Mandla
	1875	2	4	...	...	...	...	3	3	1	75	3	3	4	6	5	...	3	3	1875	
Hoshangabad	1874	5	20	5	3	1	1	23	14	3	682	75	7	6	6	8	12	23	26	1874	Hoshangabad
	1875	21	19	2	7	4	3	43	20	6	660	135	33	...	15	10	20	42	18	1875	
Betul	1874	2	10	3	3	1	...	9	2	11	203	13	11	11	9	15	2	10	26	1874	Betul
	1875	3	33	2	2	...	...	12	6	12	266	15	14	13	8	11	5	42	13	1875	
Narsinghpur	1874	2	10	1	3	...	...	4	39	2	284	45	15	1	7	18	16	6	12	1874	Narsinghpur
	1875	2	8	2	1	1	2	7	23	3	228	41	8	1	6	11	9	19	3	1875	
Chhindwara	1874	...	9	...	...	1	...	6	6	10	203	6	9	1	5	...	5	9	7	1874	Chhindwara
	1875	5	9	...	1	4	...	11	4	23	287	11	8	2	3	2	8	15	8	1875	
Nimar	1874	13	14	1	4	...	3	15	8	1	134	24	13	...	5	3	7	5	17	1874	Nimar
	1875	2	8	1	11	...	1	7	7	1	196	32	10	...	8	4	11	10	15	1875	
Raipur	1874	3	16	40	...	1	1	8	29	1	320	5	13	6	20	27	12	8	19	1874	Raipur
	1875	...	2	...	2	2	..	6	18	...	360	4	13	7	11	19	13	10	22	1875	
Sambalpur	1874	...	12	1	1	..	1	8	..	...	124	9	1	1	4	1	5	1	7	1874	Sambalpur
	1875	..	...	...	...	..	1	8	3	...	122	6	10	2	1	5	7	...	3	1875	
Bilaspur	1874	2	4	1	6	7	5	4	8	17	137	34	23	2	7	13	15	8	9	1874	Bilaspur
	1875	...	11	7	26	1	4	7	8	23	152	48	23	12	14	18	12	7	7	1875	
Upper Godavari	1874	..	2	2	4	...	2	1	..	1	40	13	15	...	2	1	4	2	...	1874	Upper Godavari
	1875	..	1	...	5	.	1	1	...	...	32	29	11	..	3	5	3	1	..	1875	
Total	1874	86	167	23	67	20	30	193	188	137	5,261	850	273	57	204	204	211	200	246	1874	Total
	1875	77	198	33	100	34	2[illegible]	201	185	146	5,492	722	302	85	168	230	234	275	243	1875	

B.—The Tribunals.

Change in Courts superior to Courts of the Magistrate

7. The Courts superior to the Magistrates underwent no change.

Effective strength of the Magistracy at the close of the year

8. The following statement shows the effective strength of the Magistracy at the close of the year:—

District	Stipendiary Magistrates			Honorary Magistrates			Remarks
	1st Class.	2nd Class.	3rd Class	1st Class	2nd Class	3rd Class	
Nagpur ...	*6	4	...	6	6	2	* Deputy Commissioners are also included in this column.
Chanda ...	2	2	1	...	2	3	
Bhandara ..	4	1	...	1	...	1	* Each Deputy Commissioner exercises in his district the powers of S. 36 C. Cr P
Wardha ...	4	1	2	...	3	2	
Balaghat ..	2	2	1	...	...	1	
Jubbulpore ...	6	2	1	...	3	4	The Honorary Magistrates in Nagpur comprise a Bench.
Saugor ...	4	5	...	...	4	4	
Damoh ..	2	1	1	...	2	1	
Seoni ...	2	...	2	...	...	...	
Mandla .	2	1	1	..	...	2	
Hoshangabad ...	5	3	2	..	7	7	
Betul ...	3	1	...	...	...	2	
Narsinghpur ..	5	1	...	..	1	5	
Chhindwara ...	2	2	...	..	...	2	
Nimar ...	7	1	1	1	3	2	
Raipur ...	4	1	3	...	3	1	
Sambalpur ..	4	1	...	...	...	3	
Bilaspur	3	2	1	..	2	3	
Upper Godavari ..	2	...	1	...	...	...	
Total ...	69	31	17	8	36	45	

Moharirs for Courts of Honorary Magistrates

9. During the year sanction was given according to Chief Commissioner's Circular No. 35, dated 19th October 1875, definitely to an establishment for the Court of each Honorary Magistrate of 1 Moharir on Rs 15 per mensem.

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Power to try summarily.

10. Besides Officers now in the position of Magistrates of districts, 30* Magistrates are now empowered to try summarily.

* 20 Assistant Commissioners &c.
9 Extra-Assistant Commissioners
1 Assistant to Deputy Commissioner Upper Godavari

The following table shows the extent to which the powers were used :—

Districts.	Total number of cases tried.		Number of cases tried summarily.		Remarks
	By the Magistrate of the district.	By subordinate Magistrate with summary powers.	By the Magistrate of the district.	By subordinate Magistrates.	
Nagpur ...	77	834	8	486	
Chanda ...	110	174	85	122	
Bhandara ...	53	84	38	35	
Wardha ...	31	97	9	24	
Balaghat ...	142	..	59	...	
Jubbulpore ..	67	1,235	1	976	
Saugor ...	177	810	57	637	
Damoh .	107	31	32	9	
Seoni ...	195	835	58	202	
Mandla ...	22	255	9	202	
Hoshangabad ..	40	599	...	73	
Betul ..	249	..	176	...	
Narsinghpur ..	41	304	6	167	
Chhindwara ...	74	200	...	126	
Nimar ...	193	304	149	159	
Raipur ..	176	210	142	89	
Sambalpur ..	127	..	99	...	
Bilaspur ..	152	53	38	32	
Upper Godavari ..	21	183	1	106	
Total ...	2,117	5,708	970	3,445	

The saving of time effected by the trial summarily of 4,415 cases as above was of course important, and there continues to be a general concurrence of opinion, that the summary procedure is in that respect valuable. At the same time there is no reason to doubt that justice has been as well done.

Money transactions of Criminal Courts.

11 During the year the system under which money transactions of the Criminal Courts are conducted was brought under review, and by Circulars VII. and XII. of 1875, made definitely to conform to the requirements of the Financial Department.

C.—The Distribution of Business among the several classes of Courts.

In Magistrates' Courts.

12. Statement B. 3. shows that 44,010 accused persons were dealt with by the Magistrates in the following proportions.—

By Magistrates of districts 3,248 or 7·4 per cent, other stipendiary Magistrates 26,879 or 61·1 per cent, Honorary Magistrates 13,883 or 31·5 per cent. Further details are given in the following table:—

DISTRICTS	Persons disposed of by							REMARKS
	Deputy Commissioners.	Cantonment Magistrates, Assistant and Extra Assistant Commissioners at District Head Quarters.	Tahsildars at District Head Quarters.	Honorary Magistrates at District Head Quarters.	Stipendiary Magistrates in the interior of Districts.	Honorary Magistrates in the interior of Districts.	Total	
Nagpur ..	127	1,717	367	1,079	1,075	* 1 396	5,761	*966 pertain to the Kamptee Honorary Magistrates
Chanda	136	452	...		1,061	490	2,139	
Bhandara ..	130	428	..	378	650	83	1 699	
Wardha ..	42	494	51	...	394	1 140	2,121	
Balaghat ..	211	849	150	...	186	144	1,540	
Jubbulpore ..	102	1,888	486	311	652	458	3,897	
Saugor ..	279	1,371	181	463	905	1,165	4,364	
Damoh ...	172	395	102	254	121	65	1,109	
Seoni	249	497	390	..	492	...	1,628	
Mandla ...	67	349	85	67	168	11	747	
Hoshangabad ...	75	643	208	270	1,289	2,083	4,568	
Betul ...	411	255	296	345	670	169	2,146	
Narsinghpur ...	49	526	339	..	194	988	2,096	
Chhindwara ..	146	273	273	431	376	93	1,592	
Nimar ...	240	363	4	254	558	517	1,936	
Raipur ...	235	677	547	500	835	156	2,950	
Sambalpur ...	208	177	225		474	125	1,209	
Bilaspur .	330	596	221	269	558	179	2,153	
Upper Godavari ...	39	310	6	...	...	..	355	
Total 1875 .	3 248	12,290	3,931	4,621	10,658	9,262	44,010	
Percentage do ...	7 4	27 9	8 9	10 5	24 3	21 0	100	
Total 1874 ...	3,429	11 509	3,791	5,620	10,067	9,179	43,595	
Percentage do.	7 9	26 4	8 7	12 9	23 1	21 0	100	

Business disposed of by Magistrates of Districts

13 During recent years it has been thought that Deputy Commissioners might dispose of more persons than they do, especially with the aid of the power to try summarily which they possess. On the whole, however, the proportion of persons disposed of by Deputy Commissioners does not rise, but it has increased in the case of the Deputy Commissioners of Raipur, Chhindwara, Bilaspur, Betul and Balaghat It is very low in the case of the Deputy Commissioner of Wardha, but his other duties are known to be heavy; but acting on the views which from time to time have been expressed by the Chief Commissioner, the Deputy Commissioners of Narsinghpur, Chanda, Bhandara and Chhindwara might perhaps be expected to dispose of more persons than they do.

The following table contains the names of Honorary Magistrates who have rendered most assistance to the Administration during the year:—

District.	Town or residence of Honorary Magistrates	Name of Honorary Magistrates.	Class	Number of accused persons disposed of by each Honorary Magistrate.
		A.—At District Head Quarters		
Nagpur ...	Nagpur ...	Raja Suleman Sha ..	1st Class	206
Do. ...	do. ...	Lalla Lakmichand .	2nd do.	312
Bhandara ...	Bhandara ..	Yado Rao ..	1st do.	378
Jubbulpore .	Jubbulpore ...	J. Watts, Esq. .	2nd do.	234
Saugor ..	Saugor ..	Rao Kishen Rao ...	3rd do.	306
Hoshangabad ...	Hoshangabad...	Kamran Sha .	2nd do	270
Betul ...	Betul ...	Sheo Baksh Singh ...	3rd do	345
Chhindwara	Chhindwara ...	Mahomed Ali Khan ..	3rd do	131
Nimar ...	Khandwa ...	Govind Rao Dongrey ..	2nd do	254
Raipur ...	Raipur ...	Rajaram Tewari ...	2nd do.	500
Bilaspur ..	Bilaspur ...	Mr. R. J Harrison ...	2nd do.	201
		B.—At places in the interior of districts where there is also a Stipendiary Magistrate.		
Nagpur ...	Kamptee ...	Bhanudass Naidu ...	2nd Class	632
Do ...	do. ...	Sheik Ismael ...	2nd do	334
Wardha ...	Hinganghat ...	Sunder Narayen ...	2nd do.	485
Saugor ...	Rehli ...	Rao Zurawar Singh ...	2nd do.	274
Hoshangabad...	Harda ...	Mahomed Amin ..	2nd do.	204
Do. ...	Seoni ...	Kasim Ali ..	3rd do.	503
Nimar ...	Burhanpur ...	Kazi Habibul Rahman ..	2nd do	205
		C.—At places in the interior where there is no Stipendiary Magistrate.		
Nagpur ...	Dhapiwara ...	Govind Singh Jemadar ..	2nd Class	272
Wardha ..	Deolee ...	Ram Rao Sudasheo ...	3rd do.	221
Saugor ..	Khimla-sa ...	Rao Damodhar Rao . .	2nd do.	248
Do ...	Raseena ...	Rajaram Havildar ...	2nd do.	235
Do ...	Garhakota ...	Rajai Dube ...	2nd do	301
Hoshangabad ..	Futtehpur ..	Kishore Singh ...	3rd do	262
Do ..	Khaperkera ...	Dhunraj Seth ...	3rd do.	309

Committals to Courts of Session.

14. 266 persons were committed to the four Courts of Session during the year.

D.—THE ACTION OF THE TRIBUNALS OF ORIGINAL JURISDICTION ON ACCUSED PERSONS UNDER INQUIRY OR TRIAL BEFORE THEM.

General result

15. Of the total 44,320 persons under inquiry or trial during the year, 14,082 were acquitted or discharged, and 29,676 convicted ; while 248 died, escaped or were transferred, and 314 remained under trial at the close of the year.

Results under selected offences

16. The following table shows the proportion of persons convicted under the principal headings of offence :—

Selected offences		Number of persons disposed of by discharge, acquittal or conviction.	Convicted		
Number (Statement B2)	Description.		Number.	Percentage in 1875.	Percentage in 1874.
8, 9	Counterfeiting, diminishing or altering coin ...	14	13	93	70
10	Passing or possessing bad or altered coin	66	44	67	73
11, 12, 13	Counterfeiting or selling counterfeit Government stamps, or using as genuine counterfeit stamps	2	2	100	50
15	Personating public servant or soldier ..	25	22	88	78
17	Omitting to give information of offence or giving false information	258	190	74	77
32 to 43	Offences by public servants	114	87	76	65
44, 45	Giving or fabricating false evidence	139	91	66	49
51	Forgery or fradulently using or possessing forged documents	46	14	30	45
53	Public nuisances under Penal Code	642	531	83	84
54	Nuisances under Police, Municipal or Cantonment Acts...	3,148	2,963	94	89
55	Rioting or unlawful assembly	262	208	79	74
60 to 66	Murder	102	45	44	47
68	Culpable homicide	41	26	63	57
90	Adultery	151	62	42	25
91	Rape	51	26	51	49
93	Hurt	2,662	1,651	62	54
97	Assault or use of Criminal force	10,534	4,364	41	40
98	Criminal intimidation or insult	1,202	578	48	48
101	Defamation	584	167	29	30
103	Dacoity	136	99	73	80
105 to 109	Robbery	86	45	53	66
110	Extortion	106	61	58	58
111	House-breaking or house-trespass in order to commission of theft	2,109	1,751	83	82
115	Theft of cattle	1,342	1,125	84	80
116	Theft ordinary	6,553	5,564	85	84
117	Dishonestly receiving stolen property	652	491	76	72
118	Dishonest misappropriation of property	270	192	71	66
119	Criminal breach of trust	381	262	69	62
120	Cheating	322	149	46	46
121	Mischief ordinary	441	218	49	45
124	Do serious by fire	33	17	52	50
126	Criminal-trespass or house-trespass	1,515	985	65	62
134, 135	Vagrancy, bad-habit or repute	522	408	78	72
140	Breaches of law relating to Cattle trespass	610	350	57	59
147	Do. do. Forests	1,264	1,136	90	82
148	Do. do. Gambling	539	460	85	90
159	Do. do. Railways	83	68	82	78
161	Do. do. Salt and Salt-petre ...	399	383	96	97
162	Do. do. Spirits and Drugs ...	907	774	85	86
164	Do. do. Stamps	425	348	82	81

Counterfeiting, diminishing, or passing or possessing bad or altered coin.

17. Under this head, it is only necessary this year to remark that in dealing with "offences relating to coin" under Chapter XII. of the Penal Code, Magistrates have not always been careful enough to determine whether or not, the metal which is the subject matter of the offence, is "*used as money*."

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Counterfeiting, selling or using as genuine, counterfeit stamps, or effacing or altering the same.

18. A case occurred in Jubbulpore and another in Saugor. Both were connected with Court Fee Adhesive Stamps.

Omitting to give information of offence, or giving false information

19. Here the offences almost entirely related to "giving false information."

Giving or fabricating false evidence

20. Out of the 139 persons prosecuted, 100 appertained to the districts of Nagpur, Balaghat, Hoshangabad, Nimar and Bilaspur. In Sambalpur and Mandla there were no prosecutions. The convictions were in somewhat larger proportion than usual.

Nuisances under the Penal Code, the Police, Municipal or Cantonment Acts.

21. Out of 3,790 persons prosecuted for nuisances, there were prosecuted :—

In the	Nagpur	District ...	434	persons
"	Saugor	" ...	600	"
"	Jubbulpore	" ..	506	"
"	Hoshangabad	" ...	412	"
"	Nimar	" ...	410	"
"	Raipur	" ...	273	"
		Total ...	2,635	

The Raipur report admits that in that district they were excessive, arising out of over-zeal during a portion of the year ; and apparently when this over-zeal was corrected, no ill results followed from infrequency of prosecutions. Similar admission appears in the Hoshangabad report. In all districts prosecutions increased from 2,776 in 1874, to 3,790 ; and it is probable that under the more constant system of control by Magistrates of Districts, to which end a recent Circular III. of 1876 has been directed, prosecutions would be steadier and upon the whole fewer.

Hurt, and Criminal intimidation or insult.

22. Prosecutions for hurt, intimidation and insult numbered 4,856 in 1874 and in 1875, 3,864, while the number of prosecutions for assault has not materially varied. It may be that the Police proceed in hurt cases less frequently than they did when first hurt was by Act XI. of 1874 made a cognizable offence ; but the reports throw no clear light on this subject generally. It is at all events satisfactory to find the percentage of convictions in hurt cases increased 8 per cent The convictions for assault remained low, and it is not possible yet to say that they might not be proportionately higher by the more frequent primary dismissals of complaints under Section 147 Code of Criminal Procedure. Great pressure on this head would, however, be inexpedient, but something more might doubtless be affected by a more constant system of control on the part of Magistrates of districts ; and a Circular (III. of 1876) has recently been issued pointing out one way in which this may be maintained.

Dacoity.

23. Of the 136 persons brought to trial for dacoity, 47 persons appertained to the Hoshangabad and 34 to the Betul district. The Betul dacoits appertained to two cases only ; and the convictions in one case comprising 20 accused persons had to be quashed for want of jurisdiction ; the offence having been committed in Berar. The majority of the Hoshangabad dacoits also appertained to two cases only ; these were bad cases, and the leader in one was sentenced to transportation for life. On the other hand, out of 37 convicted in one case by the Court of Session 11 were acquitted on appeal.

24. The proportion of convictions under all of these headings has increased, and may be taken to be a satisfactory feature in the Criminal administration of the year.

House breaking or house-trespass in order to commit theft. Thefts of cattle and ordinary, dishonestly receiving stolen property, dishonest misappropriation of property, Criminal breach of trust, and Criminal trespass or house-trespass.

25. Prosecutions diminished to 522 persons, as against 818 in the previous year, partly no doubt owing to the system established by Circular XXIII. of 1874, which had then been devised specially to guard against abuse of the law against vagrants and persons of bad habit and repute which had been recurrent. The prosecutions in 1875 are pretty evenly distributed throughout districts. They were fewest in Chanda, Bhandara and Damoh. In Bhandara security was required from no one and yet reported crime was stationary. On the whole security was required from a larger proportion of persons brought up than in 1874; the Seoni district being still prominent in that respect, but the Deputy Commissioner's report indicates a desire to administer the law with care.

Vagrancy and bad habit and repute.

26. In 1874 only 563 persons were convicted; this year they are double the number. Prosecutions were most numerous in the Betul, Seoni Saugor and Chanda districts. Judging by the report of the Deputy Commissioner Betul, his prosecutions are becoming too numerous. It mentions that while they numbered 202 during the whole year they numbered only 4 in November and 2 December by reason of instructions which the Deputy Commissioner had issued in the Forest Department; which while thus rendering prosecutions for breach of forest rules rarely necessary, would he believed be detrimental neither to the forests themselves, nor the interests of Government in them.

Forests.

The following table exhibits this subject for districts separately :—

Districts	Hurt.		Assault.		Intimidation or insult.		Compensation under Section 209 Code of Criminal Procedure.
	Persons prosecuted.	Percentage of convictions.	Persons prosecuted.	Percentage of convictions.	Persons prosecuted.	Percentage of convictions.	
Nagpur ...	544	63·	2,268	32·	254	41·	188
Chanda ...	46	48·	426	63·	35	57·	24
Bhandara ...	183	52	430	39·	140	52·	57
Wardha ...	264	56·	652	49·	60	52·	107
Balaghat ...	114	47·	267	24·	38	29·	31
Jubbulpore ...	564	48·	633	30·	70	33·	35
Saugor ...	227	76	680	48·	47	70·	87
Damoh ...	64	42·	230	40·	4	...	15
Seoni ...	79	54	299	19·	2	...	13
Mandla ...	15	60·	118	51·	3	67·	6
Hoshangabad ...	222	60·	1,270	42·	285	38·	115
Betul ...	59	88·	559	31·	24	50·	25
Narsinghpur ...	75	80·	428	51·	64	64·	21
Chhindwara ...	144	70·	553	54·	14	48·	24
Nimar ...	43	70·	433	57·	53	69·	11
Raipur ...	131	84·	638	39·	6	67·	28
Sambalpur ...	34	76·	327	50·	10	80·	11
Bilaspur ...	77	68·	390	44·	65	69	17
Upper Godavari ...	5	60·	51	39·	36	50·	...
Total ...	2,690	61·	10,652	41·	1,212	48·	815

According to this table there is most room for improvement in Nagpur, Balaghat, Jubbulpore, Seoni and Betul.

E.—Punishments.

27. The following table compares the *kinds* of punishment inflicted by by all Courts together for the year 1874-75 :—

Kinds of punishments.

		1875 Persons	1874. Persons
a. Fined.	Fined only ..	18,527	17,369
	Fined and whipped ...	13	20
	Total ...	18,540 or 63·6 per cent of total punished.	17,389 or 63 3 per cent of total punished.
b. Imprisoned.	Imprisoned only ...	5,522 or 18·9 per cent	5,240 or 18·9 per cent
	Do. and fined ...	1,989 or 6·8 do.	1,892 or 6·9 do.
	Do. and whipped with or without fine.	471 or 1·7 do.	453 or 1·6 do.
	Total ...	7,982 or 27·4 per cent of total punished.	7,585 or 27·4 per cent of total punished.
c. Whipped...	Whipped only ...	2,630 or 9 per cent of total punished.	2,545 or 9·3 per cent of total punished.
d. Transported.	Transported (terms)	45	0
	Do. (life)	18	19
	Total ...	63	19
e. Death	... ...	32	28
	Total ...	29,247	27,566

Thus on the whole the proportion in which punishments of each kind has been inflicted has not varied.

28. The following tables exhibit the matter in detail by districts so far as relates to fine, imprisonment and whipping.

Punishments according to districts.

A.

Districts.	Total number of persons sentenced to fine, imprisonment and whipping.	Fine only.		Whipping.		Imprisonment.		Imprisonment.					
								Only.		With fine.		With whipping.	
		Number of persons.	Percentage on total.	Number of persons.	Percentage on total.	Number of persons.	Percentage on total.	Number of persons.	Percentage on total imprisoned.	Number of persons.	Percentage on total imprisoned.	Number of persons.	Percentage on total imprisoned.
Nagpur ...	3,026	2,277	75·	159	5·	590	20·	414	70·	127	22·	49	8·
Chanda ..	1,683	1,189	71·	126	7·	368	22·	218	59·	134	37·	16	4·
Bhandara ...	1,152	617	54·	197	17·	338	29·	259	77·	64	19·	15	4·
Wardha ...	1,273	968	76·	59	5·	246	19·	177	72·	59	24·	10	4·
Balaghat ...	816	401	49·	150	18·	265	33·	151	57·	102	39·	12	4·
Jubbulpore ...	2,421	1,507	62·	146	6·	768	32·	583	76·	152	28·	33	4·
Saugor ...	3,367	2,162	64·	336	10	869	26·	566	65·	228	26·	75	9·
Damoh ...	774	443	57·	65	8·	266	35·	129	48·	87	33·	50	19·
Seoni ...	1,025	502	49·	168	16·	355	35·	235	66·	111	31·	9	3·
Mandla ...	520	254	49·	133	26·	133	25·	111	84·	15	11·	7	5·
Hoshangabad ...	2,740	2,061	75·	64	2·	615	23·	408	66·	178	29·	29	5·
Betul ...	1,541	1,105	72·	114	7·	322	21·	167	52·	147	46·	8	2·
Narsinghpur ..	1,460	978	67·	67	5·	415	28·	315	76·	81	19·	19	5·
Nimar ...	1,479	1,077	73·	98	6·	304	21·	217	72·	83	27·	4	1·
Chhindwara ..	1,089	740	68·	62	6·	287	26	213	74·	68	24·	6	2·
Raipur ..	2,052	1,020	50·	299	14·	733	36·	582	79·	130	18·	21	3·
Sambalpur ...	926	372	40·	177	19·	377	41·	212	56·	101	27·	64	17·
Bilaspur ...	1,499	688	46·	201	13·	615	41·	483	79·	92	15·	40	6·
Upper Godavari ...	223	169	76·	9	4·	45	20·	21	47·	21	47·	3	6·
Total ...	29,066	18,525	64·	2,630	9·	7,911	27·	5,461	69·	1,980	25·	470	6·

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B.

Offences for which Imprisonment or whipping is usually more appropriate than fine.	Number of persons convicted in the District of—																			
	Nagpur.	Chanda.	Bhandara.	Wardha	Balaghat.	Jubbulpore.	Saugor.	Damoh.	Seoni.	Mandla.	Hoshangabad	Betul.	Narsinghpur.	Chhindwara.	Nimar.	Raipur.	Sambalpur.	Bilaspur.	Upper Godavari.	Total.
Counterfeiting and passing Coin and Stamps ...	2	1	...	...	...	14	5	...	5	...	4	2	4	1	3	12	2	4	...	59
Fabricating false evidence ...	19	1	3	1	1	5	6	2	8	...	5	1	...	...	11	2	...	20	4	89
Forgery ...	2	...	...	1	1	3	1	..	...	...	1	...	...	...	1	...	1	...	1	12
Culpable Homicide ...	...	...	...	...	3	1	6	1	...	2	...	...	2	...	1	2	...	1	...	19
Rape ...	1	...	1	2	...	...	2	...	2	...	...	5	1	3	...	3	...	2	.	22
Dacoity ...	...	...	...	...	...	1	...	...	...	...	3	34	...	...	2	...	..	12	4	56
Robbery ...	6	1	3	2	1	4	10	...	...	...	1	2	2	1	5	1	...	6	...	45
Extortion ...	7	...	1	3	9	1	2	...	10	2	...	5	.	1	...	8	...	12	...	61
House breaking ...	118	93	75	40	80	124	257	82	122	54	156	122	85	47	69	196	120	170	1	2,011
Theft ...	493	329	336	216	231	473	521	128	256	88	416	235	368	141	248	550	293	214	19	5,561
Cattle theft ...	14	20	52	16	25	70	108	69	62	68	79	31	67	101	25	85	110	117	6	1,125
Dishonest misappropriation of property ...	13	15	17	10	8	11	8	13	3	7	19	7	4	20	7	11	1	12	4	192
Dishonestly receiving stolen property ...	44	21	14	9	17	56	47	16	30	10	44	14	19	4	26	66	20	24	3	484
Criminal breach of trust ...	31	25	3	11	13	17	19	4	20	5	21	8	3	1	13	30	22	11	1	258
Criminal house trespass ...	105	54	35	81	36	109	113	4	16	19	107	75	39	31	24	59	17	60	1	985
Grand Total persons ...	855	560	540	392	425	889	1,105	321	534	255	856	541	594	351	435	1,031	586	665	44	10,979
Total imprisonments awarded ...	590	368	338	246	265	768	869	266	355	133	615	322	415	287	304	733	377	615	43	7,911
Total whipping (only) awarded ...	159	126	197	59	150	146	336	65	168	133	64	114	67	62	98	299	177	201	9	2,630
Total imprisonment and whipping (only) awarded	749	494	535	305	415	914	1,205	331	523	266	679	436	482	349	402	1,032	554	816	54	10,541
Percentage of imprisonments on total persons as above ...	69	66	63	63	63	87	79	83	67	52	72	60	[illegible]	82	70	71	64	93	100	72
Percentage of whippings (only) as above ..	18	22	36	3	35	16	30	20	31	52	7	22	11	17	22	29	30	30	20	24
Total percentage of imprisonment and whipping (only) on total persons as above ...	87	88	99	66	93	103	109	103	98	104	79	82	81	99	92	100	94	123	120	96

29. Here we have upon the whole 10,979 persons convicted of offences for which imprisonments or whipping is usually more appropriate than fine, and 96 per cent have been either imprisoned or whipped; so that when allowance is made for the pretty numerous instances in which criminal house trespass, and for the exceptional instances in which other of the offences tabled may be appropriately punished with fine; the statistics seem to indicate that resort to fine rather than to imprisonment or whipping is not too frequent. In some districts it may even have been (judged statistically) too frequent, as in Jubbulpore, Saugor, Damoh, Mandla and Bilaspur, and only in Narsinghpur and perhaps in Wardha and Betul, is it difficult as on the statistics appropriate to accept the proportion of whippings and imprisonments as compared with the convictions for the offences in question. As between imprisonments and whippings only, proportions it will be seen varied considerably; and the proportion of whippings appears excessive in Mandla.

Variations in mode of punishment in different districts.

30. The following table compares the degrees in which punishment of imprisonment whipping and fine, were inflicted by all Courts taken together during 1874 and 1875:—

Degrees of punishment.

Degree of punishment.	1874.		1875.	
	Persons.	Percentage.	Persons.	Percentage.
Imprisoned—for not exceeding 15 days ..	1,302	17·	1,202	15·
" " " 2 months ...	2,569	34·	2,594	33·
" " " 6 do. ...	2,464	33·	2,639	33·
" " " 2 years ...	1,089	14·	1,305	16·
" " " 7 do. ...	161	2·	242	3·
Total ...	7,585	100·	7,982	100·
Imprisoned only ...	5,240	69·	5,522	69·
" " with fine ...	1,892	25·	1,989	25·
" " with whipping ...	453	6·	471	6·
Total ..	7,585	100·	7,982	100·
Whipped—with 10 stripes or less ...	719	24·	570	18·
" " 11 to 20 stripes ...	1,574	52·	1,633	53·
" " 20 to 30 stripes ...	706	24·	904	29·
Total ...	2,999	100·	3,107	100·
Fined—in Rupees 5 and under ..	14,857	77·	15,948	78·
" " 5 to 20 ...	3,450	18·	3,455	17·
" " 20 to 50 ...	804	4·	916	4·
" " in above Rupees 50 ...	150	1·	212	1
Total ...	19,261	100·	20,531	100·

It will be seen that upon the whole imprisonments and whippings have slightly increased, and fines slightly decreased in severity. The proportion of frequency with which fine and whipping have been awarded in addition to imprisonment has not varied.

The following tables exhibit the subject in detail for districts.

DISTRICTS	Total persons sentenced to imprisonment.	Proportion to total punished.	C — Percentage of imprisonment. Above six months	Six months and under.	Two months and under.	Fifteen days and under.	With fine.	With whipping.	With solitary confinement.	Total persons sentenced to whipping.	D — Sentenced to 10 stripes or less. Number of persons.	Percentage.	Sentenced to more than 30 stripes. Number of persons.	Percentage.	E — Percentage of fines. Rs. 5 and under.	Above Rs. 5 to Rs. 20.	Above Rs. 20 to Rs. 50.	Above Rs. 50.
Nagpur ...	590	19·	21·	32·	30·	17	127	49	48	208	56	27·	34	16·	81·	16·	2·	1·
Chanda ...	368	22·	11·	24·	37·	28·	134	16	50	142	53	37·	26	18·	91·	7·	1·	1·
Bhandara ...	338	29·	8·	28·	47·	17	64	15	16	212	59	28	18	8·	83	14·	3·	...
Wardha ...	246	19·	11·	30·	35·	24	59	10	29	69	30	43·	8	12·	81·	15·	3·	1·
Balaghat ...	265	31·	16·	36·	36·	12·	102	12	60	162	20	12	15	9·	72·	16·	9·	3·
Jubbulpore ...	768	31·	21·	36·	35·	8·	152	33	55	179	27	15·	45	25·	71·	21·	7·	1·
Saugor ...	869	26·	15·	36·	35·	14·	228	75	262	411	34	8	212	52·	73·	21·	5·	1·
Damoh .	266	34·	43·	21·	23·	13·	87	50	109	115	11	10·	79	69·	65·	20·	13·	2·
Seoni .	355	33·	22·	46·	28·	4	111	9	40	177	28	16·	74	42·	59·	24·	13·	4·
Mandla ...	133	25·	19·	54	20·	7·	15	7	...	140	9	6·	76	54·	60·	28·	11·	1·
Hoshangabad ...	615	22·	15·	31·	34·	20·	178	29	76	95	25	26·	26	27·	80·	16·	3·	1·
Betul ...	322	21·	23·	26·	32·	19·	147	8	74	123	31	25·	3	2·	83·	14·	2·	1·
Nimar ...	304	20·	18·	35·	32·	15·	83	4	11	104	23	22·	29	28·	75·	17·	5·	3·
Narsinghpur ...	415	28·	16·	25·	34·	25·	81	19	66	86	18	21·	24	28·	79·	18·	2	1·
Chhindwara ..	287	26·	42·	23·	29·	5·	68	6	159	68	8	12·	17	25·	84·	14·	2·	...
Raipur ..	733	35·	18·	38·	31·	13·	130	21	123	320	71	22	94	29·	80·	15·	4·	1·
Sambalpur ...	377	40·	10·	36·	37·	17·	101	64	21	242	44	18	26	11·	78·	17·	4·	1·
Bilaspur ...	615	41·	21·	37·	28·	14·	92	40	76	241	22	9·	97	40·	72·	20·	6·	2·
Upper Godavari ...	45	20·	31·	31·	27·	11·	21	3	...	12	1	8·	...	...	92·	5·	2·	1·
Total ...	7,911	27·	19·	33·	33·	15·	1,980	470	1,255	3,106	570	18·	903	29·	78	17·	4·	1·

In Chanda, Wardha, Hoshangabad, Narsinghpur and Betul, although resort to imprisonments for the offences tabled above [in B.] has been comparatively infrequent, the proportion of imprisonments for 15 days and under have, contrary to what might be expected, been comparatively numerous ; but again this is in a manner explained for Wardha, Hoshangabad and Narsinghpur, by the special infrequency in those districts of whippings instead of which short imprisonments appear to have been awarded.

Imprisonments.

31. On the other hand also contrary to what might be expected, in four districts viz., Jubbulpore, Damoh, Chhindwara and Bilaspur, where imprisonments have been frequent as compared both with all convictions and with the offences tabled above, the degrees in which imprisonments have been awarded, have been at the same time comparatively high in two of those districts viz., Damoh and Chhindwara particularly so. The low proportion of imprisonments in the Nagpur and Nimar Districts, as compared with all offences in those districts, may of course be explained by the comparative frequency in those districts of offences not ordinarily requiring imprisoment.

Whippings.

32. Whippings only have been administered with the greatest proportional degree of leniency in Chanda, Wardha, Hoshangabad and Betul ; but in two of those districts whippings have, as already observed, been awarded with comparative rareness. Whippings have been severest in Damoh where fines have been infrequent and imprisonments severe ; and on the statistics, Damoh is eminent for the severity of its punishments. Next to Damoh is Mandla, where the statistics would show them to have been most excessive, but in so far as excess whippings may be taken to stand instead of imprisonments in that district their severity may have been right. The same remark applies in a modified sense to Saugor. In Bilaspur too, where like Damoh fines have been infrequent and imprisonments severe ; whippings have also been severe.

Fines.

33. Fines are shown to have been heaviest in Damoh, Seoni and Mandla. Fine has been added to imprisonment with comparative rareness in Mandla ; perhaps on account of the special poverty of the criminals in that district. As in connection with single punishments, so in respect of fine and whipping as additional punishments severity in Damoh is prominent. On the other hand, the addition of whipping to imprisonment has been perhaps too infrequent in Seoni, Betul, Nimar, Chhindwara and Raipur.

Solitary confinement.

34. Solitary confinement has been ordered more frequently than in former years ; but it might be awarded with still greater frequency. Only in Saugor, Damoh and Chhindwara, are the proportion of persons ordered to be kept in solitary confinement anything but low.

Compensation to injured parties

35. Compensation has been ordered to be paid from fines with greater frequency, but evidently with insufficient frequency in Wardha and some other districts.

Compensation for frivolous and vexatious complaints.

36. Compensation for frivolous and vexatious complaints was apparently awarded too seldom in the Nagpur, Balaghat, Jubbulpore, Seoni and Betul Districts, where prosecutions on complaint of hurt, assault, intimidation, insult &c., failed oftenest as well as in Nimar and Sambalpur.

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Abstract Statement of realisation of fines.

37. The following fine account is compiled from Statement IV. :—

Dr.		Cr.	
	Rs		Rs.
		Fines realized during 1875 ...	1,21,028
Fines outstanding at the close of 1874 ...	79,921	Reversed by Superior Courts ...	7,959
		Struck off as unrealizable ...	24,499
Imposed in 1875 ...	1,43,199	Outstanding at the close of 1875 ...	70,540
Total ...	2,23,120	Total ...	2,23,120

F.—Witnesses.

General Results.

38. 98,159 witnesses attended before the Magistrates' Courts, and 1,186 before the Courts of Session during the year as compared with 98,110 and 896 in 1874.

Magisterial Results.

39. The following table shows the general detention of Magisterial witnesses for 1874 and 1875:—

Periods.	1874.		1875.	
	Number.	Percentage of total witnesses.	Number	Percentage of total witnesses
Not detained beyond 1 day ...	89,977	91·7	91,982	93·7
Discharged on the 2nd day ...	5,904	6·	4,458	4·6
Do. 3rd do. ...	1,468	2·3	1,038	1·7
Do. 4th do. ...	383		351	
Detained beyond 4 days ...	378		330	
Total ...	98,110	100·	98,159	100·

Results in different districts

40. The following table gives the figures for Magisterial witnesses in each district:—

District	Number of cases disposed of.	Total number of witnesses.	Percentage discharged in one day.	Number detained beyond two days.	Number detained beyond four days.
Nagpur	3,301	12,498	86 9	1,625	223
Chanda	1,348	4,417	92 6	325	38
Bhandara	996	3,127	94 3	176	1
Wardha	1,281	5,061	95·	253	...
Balaghat	1,027	3,991	85 6	571	...
Jubbulpore	2,708	8,838	96·6	303	5
Saugor	2,826	9,623	96·1	371	...
Damoh	703	2,528	93·4	90	3
Seoni	1,072	3,740	92·2	293	7
Mandla	484	1,917	94 7	100	...
Hoshangabad	2,701	9,178	97·2	257	...
Betul	1,326	5,250	93 5	342	1
Nimar	1,294	3,949	89·5	415	7
Narsinghpur	1,366	4,974	93·4	328	25
Chhindwara	908	3,903	95 7	164	4
Raipur	1,787	5,927	96 7	196	14
Sambalpur	766	3,451	99 1	31	...
Bilaspur	1,229	5,034	94 6	270	...
Upper Godavari	211	753	91 1	67	2
Total ...	27,334	98,159	93 7	6,177	330

It will be seen that witnesses were too often detained for comparatively long periods by the Magistrates in the Nagpur and Balaghat Districts, but that generally witnesses are promptly examined and discharged.

Expenses of witnesses

41. In the disbursement of the expenses of witnesses there is still an unevenness which cannot be properly accounted for. In the exercise of discretion the practice of Magistrates will, in this matter, always within certain limits differ, but while there is on the one hand no reason to surmise that any Magistrate has been too liberal, the payments by some Magistrates have evidently been insufficient; and this has been sometimes owing to the permanent advances of money from which to make the payments being either too small in amount, or to applications to the Deputy Commissioner for their replenishment remaining for a time neglected by the Nazir at Head Quarters. On the whole, this matter still requires improved control at the hands of Deputy Commissioners.

G.—Appeal, Reference and Revision.

Total appellate business

42. 1,912 persons appealed.

To Magistrates of districts	...	826
To Courts of Session	...	889
To the Judicial Commissioner	...	197
Total	...	1,912

General results of appeal

43. The general results of the appeals disposed of are shown in the following table :—

Classes of Appellate Courts.	Total appeals disposed of	Appeals rejected and dismissed.		Sentences reduced		Sentences reversed	
		Number.	Percentage of total disposed of	Number.	Percentage of total disposed of	Number	Percentage of total disposed of
Court of the Judicial Commissioner ...	205	120	58 5	24	11·7	61	29·8
Courts of Session ..	846	638	75 4	71	8 4	137	16 2
Magistrates of Districts ..	823	470	57 1	161	19 5	192	23 4
Total ...	1,874	1,228	65 5	256	13 7	390	20 8

Reference to Sessions Judges under Section 36 Code of Criminal Procedure

44. The following table gives the results of references to Sessions Judges for confirmation of sentences passed by Deputy Commissioners under Section 36 Code of Criminal Procedure :—

Sessions Division.	Sentences.				
	Referred for confirmation	Confirmed	Modified.	Annulled.	Pending
Nagpur	15	11	...	...	..
Jubbulpore	63	57	5	1	..
Nerbudda	62	55	...	1	6
Chhattisgarh	8	8	...	...	..
Total ...	148	131	9	2	6

References to the Judicial Commissioner for confirmation of sentences of death.

45. During the year orders were passed by the Judicial Commissioner' Court as a Court of Reference in respect of 34 sentences of death passed by Courts of Session. Further enquiry was ordered or further evidence directed to be taken in one instance. The sentence of death passed was confirmed in respect of 21 persons, the sentences passed on 6 persons modified, and in the case of 4 persons the sentence was reversed. The cases of 3 persons remained pending at the close of the year.

Revision.

46. The cases of 80 persons were specially dealt with by the Judicial Commissioner's Court as a Court of revision. In respect of 42 persons the sentences were modified. The sentences or orders passed on 15 persons were reversed, and in the case of 9 persons the proceedings were annulled.

II.—Durations.

Police cases in Magistrates' Courts.

47. The following table shows durations of Police cases in Magistrates' Courts :—

District.	Total number of cases in Statement No. V A.	Disposed of in 1 day.		Disposed of in 2 days.		Disposed of in 3 and 4 days.		Disposed of in from 5 to 15 days.		Delayed more than 15 days.		Average duration.
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	
Nagpur ...	1,387	998	72·	129	10·	114	8·	116	8·	30	2·	2·5
Chanda ..	795	675	85·	33	4·	22	3·	50	6·	15	2·	2·
Bhandara ...	464	339	73·	48	10·	31	7·	38	8·	9	2·	2·6
Wardha ..	514	341	66·	68	13·	44	9·	57	11·	4	1·	2·2
Balaghat ..	639	456	71·	79	12·	23	4·	59	9·	22	4·	2·7
Jubbulpore ..	1,697	1,468	86·	97	6·	75	4·	47	3·	10	1·	1·4
Saugor ..	1,868	1,527	82·	107	6·	98	5·	121	6·	15	1·	1·9
Damoh ...	457	348	76	40	9·	27	6·	29	6·	13	3·	2·5
Seoni ...	644	489	76·	53	8·	35	5·	50	8·	17	3·	2·4
Mandla ...	346	297	86·	21	6·	14	4·	8	2·	6	2·	1·6
Hoshangabad ...	1,432	1,052	74·	121	8·	91	6·	150	11·	18	1·	2·2
Betul ...	878	762	87·	35	4·	34	4·	37	4·	10	1·	1·6
Narsinghpur ...	858	707	82·	74	9·	35	4·	37	4·	5	1·	1·7
Nimar ...	657	529	80·	54	8·	38	6·	33	5·	3	1·	1·6
Chhindwara ...	392	297	76·	29	7·	26	7·	39	10·	1	...	1·9
Raipur ..	1,080	905	84·	80	7·	41	4·	46	4·	8	1.	1·5
Sambalpur ...	541	496	92·	13	2·	17	3·	14	3·	1	...	1·3
Bilaspur ...	662	502	76·	45	7·	36	5·	58	9·	21	3	2·7
Upper Godavari ...	108	72	67·	16	15·	5	5·	7	6·	8	7·	7·2
Total ... 1875...	15,419	12,259	80·	1,142	7·	806	5·	996	7·	216	1	2·1
Total ... 1874...	14,790	11,163	76·	1,411	9	879	6·	1,104	7·	233	2·	2·2

Durations are on the whole unchanged ; but the Magisterial Statements received from each district still indicate that owing either to laxity on the part of individual Magistrates, or imperfect control by Magistrates of districts, dura-

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tions especially of Police cases are in the Courts of some Magistrates, too often comparatively long ; and Magistrates of those districts have been specially addressed on the subject.

In Courts of Session

48. The average duration of cases tried by the Courts of Session (reckoned from the day after commitment) is abstracted below :—

			1874.	1875.
Nagpur Division	...	...	52	48
Jubbulpore ,,	...	...	51	46
Nerbudda ,,	...	...	70	71
Chhattisgarh ,,	...	...	57	76

The average duration in the Nerbudda Division continues, unfortunately, beyond what it might be expected to be. In the other Divisions durations are perhaps not often unduly prolonged.

Duration of appeals in Courts of Session.

49. The durations of appeals were brief enough *(vide* Statement No. VII*)*, except in the Court of the Commissioner of the Nerbudda Division where, like the durations of trials, they too appear to have been unduly prolonged.

Punctuality in submission of district statistics.

50. Statistical system now enables this office to be in possession of the Annual Statements within a few days after the close of the year ; and with few exceptions Deputy Commissioners submit their reports a few days later. In this way this office has been enabled to prepare the present report with punctuality.

Conclusion

51. Acknowledgments are due to the Head Clerk of this office, Mr. Keenan, and his two Assistants for the prompt and careful manner in which they have compiled the Provincial Statements and the tables for this report.

I have the honor to be,

Sir,

Your most obedient Servant,

R. LOGAN,

Offg. Registrar.

NAGPUR :

The 16*th February* 1876.

IMPERIAL STATEMENTS.

1-3-76-Z-51-375

Judicial Statement B1

Showing the various Judicial Tribunals, Original and Appellate, existing in the Central Provinces on the last day of the year 1875.

Classes of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges		Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessor, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European: Covenanted	Total number of Judges. European: Commissioned Military officers	Total number of Judges. European: Uncovenanted	Total number of Judges. Native	Average annual salary of each paid Judge: European	Average annual salary of each paid Judge: Native	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to Judicial work.	Average number of advocates attached to each tribunal.	Number of cases decided during the year: Criminal	Number of cases decided during the year: Civil.	Number of cases decided during the year: Revenue	Number of cases decided during the year: Appellate
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the second and third classes exercising Criminal powers only	Paid	3	1,011	112,093	3	A single Judge presides over each Court, Jury or Assessors not employed.	Each Judge had powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure	2		1		5,600							18[illegible]			
	Unpaid	45	697	69,326	79				...	2	77	.			.	One of the three paid Judges is a Civil Surgeon exercising the powers of a Magistrate, 2nd Class			7,268	.	...	.
Magistrates of the second and third classes exercising Criminal Civil, and Revenue powers	Paid	31	3,002	288,800	56	Do	Each Judge had on the Criminal side powers of a Magistrate of the 2nd or 3rd Class under the Code of Criminal Procedure, and on the Civil side power to hear suits of value up to Rs. 50, 100, 300, 500, 1,000, according to his powers under the Central Provinces Courts Act (XIV of 1865) and had on the Revenue side the powers of a Deputy Collector under the Rent Law (Act X. of 1859, as amended by Act XIV of 1863.)	1		2	47	4,400	1,800	Rs 6 79,375-3 11	Rs. 6,41 760 3 0	These officers are Tahsildars (Sub-Collectors,) Assistant and Extra Assistant Commissioners, they are employed generally in administrative work of the district to which they are attached.	Sundays and general holidays.	Courts of the Central Provinces	7,973	28,464	4,338	

Small Cause Courts confined to proper functions.	Paid	2	1,195	256,205	3	A single Judge presides over each Court; Jury, or Assessors not employed.	One Judge had power to hear suits up to Rs. 1,000, and the other to Rs. 500, under Act XI of 1865, the third Judge is Registrar of one of the Courts, who, under the same Act, has been invested with powers to hear suits.	...	2	..	1	10,200	3,000			..	210 days excluding	2 Barristers at Law, 1 Attorney at Law, and 50 Pleaders practise in the	..	8,235	..	...
Do. invested also with Criminal powers.	Paid	3	1,118	90,657	4	Do.	One of these Judges under Act XI. of 1865, and two under Acts XI. of 1865 and XXII of 1864, had power to hear suits up to Rs. 500 in value. Three of these Judges exercise the powers of a Magistrate. The remaining Judge is the Registrar of one of the Courts, who himself had only Civil powers to decide suits up to Rs 20	.	3	...	1	7,200	1,920			Three of these Judges are Cantonment Magistrates			988	3,372	...	...
Do. invested also with ordinary Civil or Revenue powers	Paid	..	1	10	14,536	1	Do.	This Judge had on the Criminal side the powers of a Magistrate, and on the Civil side jurisdiction in suits not exceeding Rs. 500 in value, and of a nature cognizable by Courts of Small Causes He had further been invested with the powers of a Collector under the Rent Act, except only the power to hear appeals. His jurisdiction as above is confined to Cantonment limits.	..	1	...	8,400	...			Cantonment Magistrate (Saugor.)			524	275	21	
Naib Tahsildars invested with Civil powers.	Paid	14	2,339	237,020	20	Do	Each Judge can hear suits up to Rs. 50 in value, under Section 6, Act XIV. of 1865 "The Central Provinces' Courts Act."	..	..		20	..	697	Rs. 679,376-3-11.	Rs 641,760-8-0.	These officers assist Tahsildars in the general administration of Sub-divisions of Districts (Tahsils) to which they are posted.			..	18,685	...	...
Benches of Magistrates.	Unpaid.	1	3,788	631,109	5	A Bench consisting of five Magistrates, Jury or Assessors not employed.	A single Bench exercising the powers of Magistrate of the 1st Class, under the Code of Criminal Procedure	...	..	...	5	...	...			..			160	..	...	..
Magistrates of the 1st Class (not Magistrates of Districts) invested with Criminal powers only	Paid ...	1	1 086	24.425	1	A single Judge presides over each Court; Jury or Assessors not employed.	The full powers of a Magistrate under the Code of Criminal Procedure.	.	1	..	...	1,800	...			The paid Judge is a Civil Surgeon exercising the powers of a Magistrate of the 1st Class.			188	..	.	
	Unpaid.	4	3,305	429,538	6			...	...	..	6	...	...						514	..	...	.

Judicial Statement B 1.—(*Continued.*)

Cases of Tribunals, distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid and unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original or Appellate.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officer.	Average number of days in the year devoted to judicial work.	Average number of advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appellate.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Magistrates of the 1st Class (not Magistrates of Districts), invested with Civil and Revenue powers. } Paid ..	23	4,648	458,886	43	A single Judge presides over each Court; Jury or Assessors not employed.	In addition to full Magisterial powers as above, each of these Judges can hear Civil Suits up to Rs. 1,000 or 5,000 in value according to his powers under Act XIV. of 1865, and has on the Revenue side the powers of a Deputy Collector under the Rent Law.	14	2	7	20	6,443	3,384	...	..	These officers are Assistant, Extra Assistant Commissioners, and Tahsildars who aid Deputy Commissioners in the general administration of the Districts to which they are posted.	...	...	7,485	18,635	1,054	..
Magistrate of the District. } Paid ..	19	4,422	424,893	19	Do.	In addition to the full powers of a Magistrate, these Officers hear appeals from convictions by Magistrates of the second and third classes. All of them exercise the special powers of Section 36 Code of Criminal Procedure to try all offences not punishable with death; on the Civil side they can try suits up to any value, and hear appeals from the decisions of Subordinate Civil Courts of their Districts of the four lowest grades specified in Act XIV. of 1865. On the Revenue side they have the powers of a Collector under the Rent Law.	..	17	2	..	15,479	..	...	...	These officers are Deputy Commissioners invested with administrative charge of Districts.	Sundays and general holidays.	Courts of the Central Provinces.	2,057	349	109	2,871

Court of Session exercising also Civil and Revenue powers.	Paid	...	4	20,609	20,10,481	4	A single Judge presides over each Tribunal. He is assisted by two Assessors when trying defended Sessions cases (Criminal.)	These officers preside on the Criminal side over Courts of Session, and try heinous offenders committed by Magistrates to their Courts for trial, and likewise hear appeals from the orders of Magistrates of the 1st Class. On the Civil side Commissioners have no ordinary original jurisdiction, but under Act XIV. of 1865 hear appeals in all suits in which the value is Rs.* 5,000 or more; and they also hear appeals from the judgments of Collectors and Deputy Collectors in certain Suits under Act X. of 1859, (the Rent Act). They have also special original jurisdiction under Acts IV. of 1869, the Indian Divorce Act, and X. of 1870, the Land Acquisition Act. In the Revenue Department, they are commissioners of Division, and hear appeals from orders of Collectors under the Rent Law.	2	2	...	...	32,000	...	Rs. 6,79,375-3-11	Rs. 6,41,760-8-0	Commissioners have administrative charge of Divisions consisting of several Districts.	250 days excluding	2 Barristers-at-Law, 1 Attorney at Law, and 50 Pleaders practise in the	123	...	...	1,451
Court of the Judicial Commissioner.	Paid	...	1	84,963	82,01,519	1	A single Judge presides over this Court unassisted by either Jury or Assessors.	The Judicial Commissioner's Court is the Chief Appellate Court in Criminal and Civil cases. Hearing on the Criminal side appeals from the orders of Courts of Session; and on the Civil side, special appeals from decisions passed on appeal by Deputy Commissioners or Commissioners.—In Criminal cases the Judicial Commissioner has also the power of a Court of reference and revision given by the Code of Criminal Procedure to the Sadar Court.	...	1	...	...	38,000	...						...	...	...	255

ABSTRACT.*

Number of Criminal Courts.		*Number of Civil Courts.*	
Magistrates of the 2nd and 3rd Class	129	Small Cause Courts	6
Magistrates of the 1st Class	53	Courts of the Naib Tahsildars	21
Benches of Magistrates	5	Courts of the Tahsildar	49
Magistrates of Districts	19	Courts of the Assistant Commissioner	35
Courts of Session	4	Courts of the Deputy Commissioner	19
Court of the Judicial Commissioner	1	Courts of the Commissioner	4
		Court of the Judicial Commissioner	1
Total ...	211	Total ...	135

* Under Administrative arrangements Officers exercising both Magisterial and Civil powers are sometimes employed only as Criminal, and sometimes only as Civil Judges, and sometimes as both. The abstract shows the actual number of Judges employed as Criminal as well as Civil Judges at the close of the year.

1-3-76-Z.—52-375.

Judicial Statement B2.—(Criminal.)

STATEMENT of Offences reported and of persons tried, convicted and acquitted, for each offence in the Central Provinces, in the year 1875.

Description of offences.	Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial	Remarks.
Class I.							
OFFENCES AGAINST THE STATE, THE PUBLIC, AND JUSTICE.							
Against the State.							
1 Waging or conspiring to wage war against the Queen ..	121, 121A	..	..	..	..	..	
2 Collecting arms or concealing design to wage war ..	122, 123	..	..	..	..	..	
3 Assaulting Governor General, &c., with intent to compel or restrain the exercise of any lawful power ..	124	..	..	..	..	..	
4 Exciting disaffection or circulating false rumours ...	124A, 505	..	..	..	..	..	
5 War or depredation on allied powers ...	125 to 127	..	..	..	..	..	
6 Abetment of mutiny ...	131, 132	..	..	..	..	..	
7 Offences relating to the Army and Navy { Cognizable ...	133 to 136, 138	..	..	..	..	..	
7 Offences relating to the Army and Navy { Non-cognizable ...	137	..	..	..	..	..	
Relating to Coin, Stamps, Weights and Measures.							
8 Counterfeiting coin ...	231 to 238	5	7	1	6	..	
9 Diminishing or altering coin ...	246 to 249	9	7	..	7	..	
10 Passing or possessing bad or altered coin ...	239 to 243, and 250 to 254.	69	66	22	44	..	

Judicial Statement B2.—(Contd.)

	Description of offences.	Sections of the Indian Penal Code or other Law applicable	Number of offences reported during the year.	Number of persons under trial during the year	Acquitted or discharged	Convicted.	Remaining under trial.	Remarks.
11	Counterfeiting Government stamps, or possessing or keeping instruments for the purpose ...	255 to 257	...	...	...	..	...	
12	Selling or possessing counterfeit Government stamps ...	258, 259	..	...		...	...	
13	Using as genuine counterfeit stamps, or effacing or altering the same ...	260 to 263	2	2	...	2	...	
14	Making, using or possessing false weights and measures ...	264 to 267	77	90	19	71	...	
	Against Public Justice.							
15	Personating public servant or soldier ...	140, 170, 171	26	27	3	22	...	2 died.
16	Concealing design to commit .. { a cognizable ... / a non-cognizable . } offence ...	118, 120	...	1	1	...	...	
17	Omitting to give information of offence, or giving false information ..	176, 177, 181, 182, 202, 203.	198	262	68	190	1	2 escaped.
18	False information punishable under special Revenue Laws ...	Act X. of 1871, 70, 76, Act XXXVI. of 1855, 7.	...	...	...	.	.	
19	Causing disappearance of evidence ...	201, 204	6	14	1	13	.	
20	Resisting, obstructing, threatening or omitting to assist public servant ...	183 to 187, 189, 190	124	230	80	139	1	10 escaped.
21	Disobedience of lawful order, causing injury ..	188	57	100	25	75	..	
22	Intentional insult or interruption during judicial proceedings ...	228 and C. Cr. P. 423	26	28	3	25	...	
23	Harbouring an offender ...	212, 216	14	26	10	16	...	
24	Taking or offering gift to screen offender ...	213 to 215	22	21	6	15	...	

25	Resistence to, or rescue from lawful apprehension ...	224, 225	39	45	10	35	...	
26	Escape from lawful custody or transportation ..	224, 225A, 226	78	93	3	80	2	2 transferred.
27	Aiding escape of State prisoner ...	130	...	...	...	...	...	
28	Absconding from, avoiding or disobeying summons, notice or order to attend or produce ...	172 to 175, and C. Cr. P. 435,	172	251	45	203	...	3 escaped.
29	Refusing to take oath, or answer or sign ...	178 to 180	2	2	1	1	...	
30	Violation of condition of remission of punishment ...	227	...	...	...	...	...	
31	Failure to attend as Juror or Assessor ...	C. Cr. P. 414	...	...	...	...	...	
	By Public Servants.							
32	Abetment or concealment by public servant of { a cognizable .. / a non-cognizable .. } offence ...	116, 119	4	5	1	4	...	
			3	5	1	3	...	1 escaped.
33	Taking valuable thing by, or to influence public servant ...	161 to 165 (read with Act XXXI. of 1867, 2).	33	41	17	22	2	
34	Public servant acting illegally to injure any person ...	166, 167	6	6	2	4	...	
35	,, unlawfully trading ...	168, 169	...	...	...	...	...	
36	,, fraudulently defeating punishment or forfeiture	217, 218	1		...	1	...	
37	,, wilfully making order or decision contrary to law ...	219, 220	...	...	...	...	...	
38	,, intentionally omitting to apprehend or permitting to escape	128, 221, 222	2	2	1	1	...	
39	,, negligently suffering escape ...	129, 223	14	22	5	17	...	
40	Breach of Police Act by Police Officers ..	Act V. of 1861, 19, 29	31	34	...	34	...	
41	,, Excise or Opium Act by Excise or Police Officers ...	Act X. of 1871, 69, 71 to 73, 76, and Act XIII. of 1857, 23, 28.	...	...	...	...	...	
42	,, Salt Customs Act by Customs, Police or Land Revenue Officers ...	Act XIV. of 1843, 11, and Act XXXVI. of 1855, 6, 7	...	...	...	...	...	
43	Fraudulent breach of the Indian Post Office Act by Post Office Officials .. { Cognizable ..	Act XIV of 1866, 48, and 59.	...	...	...	...	...	
	{ Non-cognizable ..	Do. 49 to 52 and 59	1	1	...	1	...	
	False Evidence, False Complaints or claims and Forgery.							
44	Giving false evidence ...	193 to 196	89	143	44	83	16	
45	Fabricating false evidence ...	193 to 196	11	12	4	8	...	
46	Making, issuing, or using false statement or certificate ...	197 to 200	4	6	1	5	...	
47	False personation in judicial proceedings ...	205, 229	2	3	..	3	...	

Judicial Statement B2.—(*Contd.*)

	Description of offences		Sections of the Indian Penal Code or other Law applicable	Number of offences reported during the year	Number of persons under trial during the year	Acquitted or discharged	Convicted	Remaining under trial	Remarks
48	Fraudulent claim to, or concealment of property or suffering of decree ..		206 to 208, 421 to 424,	14	24	10	12	.	2 Escaped
49	False claim in a Court of Justice		209, 210	11	16	7	9		
50.	,, charge of offence		211	34	44	27	15	1	1 Escaped.
51.	Forgery or fraudulently using or possessing a forged document	Cognizable	467 471	2	2	..	2	.	
		Non-Cognizable	465 466 468 469, 472 to 477	27	51	32	14	2	3 Escaped.
52	Making or using false trade or property marks ..		482 to 489 and Act VII of 1865, 6, Sub-rule 21	2	3	2	1		
	Public Nuisances								
53	Nuisances under the Penal Code ..	Cognizable	269, 270 277 279 to 283 285, 286 289, 291 to 294	320	419	86	333		
		Non Cognizable..	271 to 276 278 284, 287 288 290, 294A.	152	226	25	198	4	1 Died
54.	Nuisances under the Police, or Municipal, or Cantonment Acts.		Act V. of 1861, Secs 32, 34 Act XXII of 1864 19 (except Cl. 7) 26 29 30, 31, 33 and I XL of 1873, 21	3,042	3,185	185	2,963	.	40 Escaped.
	Relating to the Public Peace								
55	Rioting or unlawful assembly ..	Cognizable ..	143 to 148, and 149, 150 to 154,	32	261	54	203		4 Escaped
		Non-Cognizable	149	2	5		5		

56.	Omitting to inform of, or prevent riot ..	154 to 156	...	...	...	...	...	
57.	Affray ...	160	201	814	144	669	...	1 Escaped.
58.	Offences relating to religion ... { Cognizable ..	295 to 297	16	19	11	8	...	
	{ Non-Cognizable...	298	5	10	4	6	...	
59.	Abetments or attempts of the above offences, (Class I.) not separately provided for ..	.....	20	35	14	21	...	
	Total Offences under Class I. ...	.....	5,007	6,674	975	5,597	29	3 Died, 68 escaped, and 2 transferred.

Class II.

OFFENCES AGAINST THE PERSON.

Serious.

60.	Murder by Thugs ..							
61.	" " Dacoits ..							
62.	" " Robbers	... ...	8	14	5	7	2	
63.	" " Poison for sake of robbery ..	302, 303 and 396						
64.	" " " from other motives	... ...	3	5	2	2	1	
65.	" " other than above from motives connected with women	... ...	18	23	13	10	...	
66.	" " " from other motives	... ...	49	82	37	26	15	2 Died, 2 transfersed.
67.	Attempt to murder ...	307	23	30	8	17	5	
68.	Culpable homicide ..	304, 308	27	44	15	26	3	
69.	Causing death or grievous hurt by rash or negligent Act ..	304 A, 338	19	30	6	24	...	
70.	Abement of suicide ...	305, 306	...	...	...	...	...	
71.	Attempt to commit suicide ..	309	196	190	39	151	...	
72.	Causing miscarriage ...	312 to 316	3	4	2	1	...	1 Escaped.
73.	Exposure of infant or concealment of birth ..	317, 318	27	40	8	31	...	1 Died.
74	Grievous hurt ..	325. 326	151	223	33	183	7	
75.	" " on grave and sudden provocation ..	335	16	18	2	16	...	
76.	Hurt by dangerous weapons ..	324	82	89	13	75	1	
77.	Administering stupefying drugs ..	328	16	17	2	12	3	
78.	Causing hurt to exort property or confession ..	327, 329 to 331	6	13	7	6	..	
79.	" " public servant ...	332, 333	5	9	...	9	...	

Judicial Statement B2—(*Contd.*)

	Description of offences.		Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	Remarks.
80.	Wrongful confinement after issue of writ for liberation, or in secret	Cognizable ..	346	...	...	...	...	...	
		Non-Cognizable...	345	...	...	...	..	...	
81.	" " to extort property or confession ..		347, 348	32	53	29	23	...	1 Escaped.
82.	Assault of public servant or to outrage modesty, or to dishonor a person, or in attempt to commit theft or wrongful confinement	Cognizable ...	353, 354, 356, 357	216	274	112	156	6	
		Non Cognizable ..	355	7	15	6	9	...	
83.	Criminal intimidation punishable with more than two years imprisonment ..		506	3	3	1	1	...	1 Escaped.
84.	Buying or disposing of any person as a slave	Cognizable ...	371	...	1	...	...	...	1 Transferred.
		Non Cognizable...	370	..	2	2	...	...	
85.	Kidnapping or abduction ..		363 to 365, 367 to 369	18	21	5	16	...	
86.	Abducting a woman to compel marriage or for defilement ..		366	4	7	4	2	1	
87.	Selling, letting or unlawfully obtaining a woman for purposes of prostitution ..		372, 373	1	2	...	2	...	
88.	Enticing a woman with criminal intent ..		498	185	225	142	69	5	1 Died, 8 escaped.
89.	Fraudulent and unlawful marriages ..		493 to 496	8	12	10	2	...	
90.	Adultery ...		497	146	163	89	62	6	6 Escaped.
91.	Rape ..		376	51	53	25	26	2	
92.	Unnatural offences ..		377	12	18	4	14	...	
	Minor Offences against the person.								
93.	Hurt ...		323, 334	1,625	2,691	1,011	1,651	24	2 Died, 3 escaped.
94.	Rash or negligent act and hurt caused thereby ..		336, 337	36	41	5	36	...	

95	Wrongful restraint	341	93	172	76	97	1	
96	,, confinement	342 to 344	103	141	61	77	3	
97	Assault or use of criminal force	352, 358	5,492	10,652	6 170	4 364	80	38 Escaped
98.	Criminal intimidation or insult	504, 506 to 509	722	1,213	624	578	5	6 Escaped
99	Causing annoyance in a state of intoxication	510	5	5	.	5		
100	Unlawful compulsion of labour	374	13	16	4	12		
101.	Defamation	500 to 502	309	605	417	167	18	3 Escaped
102.	Abetments or attempts of the above offences (Class II.) not separately provided for	—	47	79	22	56	1	
	TOTAL OFFENCES UNDER CLASS II	.	9 767	17,296	9,011	8,019	189	6 Died, 67 escaped, and 3 transferred.
	Class III.							
	OFFENCES AGAINST PROPERTY WITH VIOLENCE	.						
103	Dacoity	395, 397, 398	8	137	37	99	..	1 Died
104	Preparation or assembly for dacoity	399, 402	1	14	4	10	.	
105	Robbery { With hurt or deadly weapon	394, 397, 398	.	..	..			
106	,, { By poison or stupefying drugs		.	..	.		...	
106a	,, { By other means		4	9	5	4	...	
107	,, { In a dwelling house	392, 393	13	11	2	9	..	
108	,, { On the highway		20	19	7	12	.	
109.	,, { Elsewhere		28	47	27	20		
110	Extortion	384 to 389	85	113	45	61	5	2 Escaped.
111	House-breaking or house-trespass in order to commit theft	451, 454, 457	5,857	2,133	358	1,751	6	18 Transferred.
112.	House-breaking or house trespass in order to commit an offence other than theft	449 to 451, 454 457	79	78	24	54		
113.	Theft, mischief, house-breaking or house-trespass with preparation for or attempt at hurt	382 440, 452, 455, 458 to 460	26	63	16	47	—	
114.	House-breaking or lurking house-trespass	453, 456	249	202	37	165	...	

Judicial Statement B2.—(*Contd.*)

Description of offences.	Section of the Indian Penal Code or other Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Remaining under trial.	REMARKS.
Without violence.							
115. Theft { Of Cattle ...	379 to 381	1,124	1,373	217	1,125	10	1 Died, 3 escaped, 17 tranfd.
116. " { Ordinary ...		12,170	6,581	989	5,564	20	1 Died, 1 escaped, 6 tranfd.
117. Dishonestly receiving stolen property ...	411 to 414	470	657	161	491	..	5 Transferred.
118. Dishonest mis-appropriation of property ...	403, 404	168	273	78	192	2	1 Died.
119. Criminal breach of trust { Cognizable ...	406 to 408	323	293	81	207	2	3 Escaped.
119. Criminal breach of trust { Non-Cognizable ...	409	81	101	38	55	6	2 "
120. Cheating ...	417 to 420	230	338	173	149	4	12 "
Malicious offences.							
121. Mischief ordinary { Cognizable ...	430 to 433	52	74	20	54	...	
121. Mischief ordinary { Non-Cognizable ...	426, 427	182	371	203	164	4	
122. " by poisoning or killing animals ...	428, 429	59	84	28	55	1	
123. " by destroying land-marks ...	434	13	14	9	5	...	
124. " serious by fire ...	435, 436, 438	153	35	16	17	2	
125. " to vessels ...	437, 439	...	...	...	...	...	
126. Criminal trespass or house-trespass ...	447, 448	988	1,530	530	985	14	1 Escaped.
127. Breaking open closed receptacle ...	461, 462	2	4	4	...	...	
128. Abetments or attempts of the above offences Class III ...	.....	258	124	31	93	...	
TOTAL OFFENCES UNDER CLASS III. ..	.....	22,643	14,678	3,140	11,388	76	4 Died, 24 escaped, and 46 transferred.

	Class IV.							
	OFFENCES NOT INCLUDED IN THE ABOVE CLASSES.							
	Other offences against the Indian Penal or Criminal Procedure Codes.							
129.	Belonging to a gang of Thugs ...	311	...	...	...	...	...	
130.	Belonging to a gang of Dacoits ...	400	...	...	...	...	...	
131.	Belonging to a gang of Thieves ...	401	6	111	41	70	...	
132.	Criminal breaches of contracts of service ...	490 to 492	13	22	7	15	...	
133.	Apprehended breaches of the peace separately inquired into ...	C. Cr. P. 491 to 498	15	29	9	19	1	
134.	Vagrancy ...	Do. 504	244	280	60	220	...	
135.	Bad habit and repute ...	Do. 505, 506	277	244	54	188	1	1 Transferred.
136.	Abetments or attempts of the above offences Class IV. ...	.....	...	...	...	...	...	
	TOTAL OFFENCES UNDER CLASS IV, ...	.....	555	686	171	512	2	1 Transferred.
	OTHER OFFENCES AGAINST SPECIAL LAWS.							
	Breaches relating to—							
137.	Acquisition of land ...	Act X. of 1870, 52	...	...	...	...	...	
138.	Apprentices ...	Act XIX. of 1850, 13, 15	...	...	...	...	...	
13	Arms. ... Cognizable ...	Act XXXI. of 1860, 23	8	8	1	7	..	
	Arms. ... Non-Cognizable ...	Acts XXXI. of 1860, except 23 and Act VI. of 1866	18	23	1	22	..	
140.	Cattle trespass ...	Act I. of 1871, 24, 26, 27	275	618	260	350	4	4 Escaped.
141.	Certain disputes between workmen on railways and other public works and their employers ...	Act IX. of 1860, 8	..	..	..	..	..	
142.	Contagious diseases ...	Acts XXII. of 1864, 19 Clause 7 and XIV. of 1868	116	120	8	111	...	1 Escaped.
143.	Contracts by artificers, workmen and labourers in certain cases ...	Act XIII. of 1859, 2, 3	..	..	..	..	..	
144.	Electric Telegraph ...	Act VIII. of 1860	..	..	..	..	..	
145.	Emigration ...	Act VII. of 1871, 72 to 76	..	..	...	..	..	

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Judicial Statement B 2.—*Contd.*

	Description of offences.		Sections of the Indian Penal Code or other Law applicable.	Number of offences reported during the year	Number of persons under trial during the year	Acquitted or discharged	Convicted	Remaining under trial	Remarks
146	European vagrancy		Act IX of 1874	...	..	..	...	...	
147	Forests		Act VII of 1868	676	1,276	128	1,136	3	9 Escaped.
148.	Gambling		Act III of 1867	71	539	79	460	..	
149.	Indian Christian marriages	Cognizable	Act XV of 1872, 68, 71, 73 to 75	..	..	..	..	..	
		Non-Cognizable	Act XV of 1872 69, 70	..	..	.	—	..	
150	Indian Companies	Cognizable	Act X of 1866, 158	..	..	..		..	
		Non Cognizable	Act X. of 1866 excepting 158	..	..	...	..	..	
151	Indian weights and measures of capacity		Act XXXI of 1871, 16	..	..	..	..	..	
152	Municipalities and Cantonments		Acts XXII of 1864, and XI of 1873	265	276	20	251	..	5 Escaped.
153.	Opium		Acts XIII of 1857, and X. of 1871	221	265	39	226	..	
154.	Pandhari		Act XIV. of 1867. 3 Clause 3	..		..	..	..	
155.	Paper Currency		Act III of 1871	..		..	..	..	
156.	Post Office	Cognizable	Act XIV. of 1866. 48	4	4	2	2	..	
		Non-Cognizable	Act XIV of 1866, excepting 48	2	5	..	5	—	
157.	Prisons and Prisoners (only offences and cases tried by Magistrates)	Cognizable	Act V of 1871 Sec. 29	3	6	1	5	...	
		Non-Cognizable	Acts V. of 1871. 29 and XXVI. of 1870, 45, 49 and 51	6	11	4	7	..	

158.	Purchase of Soldiers necessaries	...	Mutiny Act and Act VII. 1867	..	...	..	..	..	
159.	Railways — Cognizable		Act XVIII. of 1854, 25, amended by Acts LII of 1860, XIII. of 1870, and XXV. of 1871	67	68	12	53	..	
	Railways — Non-Cognizable	..	Act XVIII of 1854, excepting 25	10	15	3	12	..	
160.	Registration	.	Act VIII. of 1871, 79, 80	3	4	1	3	...	
161.	Salt and Saltpetre	...	Acts XIV of 1843 XXXVI of 1855, and XIX. of 1862, as extended by VII. of 1864 XXXI of 1861, amended by XXXIII. of 1857, and XXV. of 1869	215	400	16	383	..	1 Transferred.
162.	Stage carriages	..	Act XVI of 1861	..		.	.	..	
163	Spirits and Drugs	..	Act X. of 1871	773	912	133	774	5	
164.	Stamps	..	Act XVIII. of 1869	243	435	77	348	6	1 Died, 3 escaped.
165.	The Press	...	Act XXV. of 1867, 12 to 16	.		..	..	...	
166.	Volunteers	..	Act XX. of 1869, 21	..	..	..	.	.	
167.	Wilful neglect of Magistrate's order to maintain lunatic	..	Act XXXVI. of 1858, 5	2	2	..	2	...	
	Total offences against Special Laws	..		2,976	4,987	785	4,160	18	1 Died, 22 escaped, and 1 transferred.
	Total Offences under		Class I.	5,007	6,674	973	5,597	29	73
			" II.	9,767	17,295	9,011	8,019	189	76
			" III	22,643	14,678	3,140	11,388	76	74
			" IV.	555	686	171	512	2	1
			" V	2,976	4,987	785	4,160	18	24
			Grand Total	40,948	44,320	14,082	29,676	314	248

Judicial Statement B 3.—(Criminal.)

STATEMENT showing the general result of Criminal trials in the tribunals of various classes in the Central Provinces, in the year 1875.

CLASS OF TRIBUNALS.		Number of persons dealt with.							Persons disposed of							
		Remaining at end of last year.	Brought to trial during the present year.				Received by transfer.	Total.	Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred.	Remaining at end of the year.	Average number of days during which each case lasted.	Number of witnesses who attended.
			Under arrest by Police.	Upon warrant.	Upon summons.	Voluntarily.										
Village Officers ..		...	...	...	...	..	...	..	..	..	..	..	..	...	..	..
Unpaid Magistrates ..		24	4,214	830	8,805	71	...	13,944	2,874	2,368	8,562	..	79	61	6·	25,216
Local and Subordinate paid Magistrates ..		44	7,235	697	4,148	133	6	12,263	2,009	1,388	8,778	3	30	55	5·	27,064
Full power paid Magistrates exercising jurisdiction throughout the District ..		81	8,758	1,321	4,530	104	5	14,799	2,921	1,698	9,728	247	77	128	5·	37,137
Chief Magistrates of Districts ..		30	2,498	363	336	65	1	3,293	524	212	2,436	16	60	45	6·	8,742
Total Magistracy	1875..	179	22,705	3,211	17,819	373	12	44,299	8,328	5,666	29,504	266	246	289	5·4	98,159
	1874..	260	21,063	3,557	18,498	385	13	43,776	8,802	6,319	28,130	165	179	181	5·8	98,110
Commissioners of Division ..	1875..	19	268	..	...	..	...	287	...	88	172	...	2	25	54·3	1,186
	1874..	65	167	..	...	..	...	232	...	78	130	...	5	19	60·3	826
High Court ..	..	...	..	..	...	..	...	..	...	...	...	...	..	...	..	...
Grand Total ..	1875..	198	22,973	3,211	17,819	373	12	44,586	8,328	5,754	29,676	266	248	314	5·6	99,345
	1874..	325	21,230	3,557	18,498	385	13	44,008	8,802	6,397	28,260	165	184	200	6·	99,006

Judicial Statement B 4.—(Criminal.)

STATEMENT showing the punishments inflicted by the various Criminal Tribunals in the Central Provinces, in the year 1875.

CLASS OF TRIBUNALS.	Persons sentenced to												Persons ordered to find or give.			REMARKS
		Transportation.			Imprisonment.				Fine.		Whipping.					
					Rigorous.											
	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Sureties of the peace.	Recognizance.	Sureties for good behaviour.	
Village Officers	...	...	...	...	..	.	...	...	...	...	...	...	...	...	...	
Unpaid Magistrates	..	...	...	...	118	1,232	78	75	274	7,016	62	234	...	...	2	
Subordinate and local paid Magistrates ...	...	...	...	...	223	2,032	125	183	596	5,520	96	1,101	...	...	...	
Full power Magistrates of general jurisdiction	...	...	...	...	549	3,660	197	34	862	5,133	239	1,042	23	52	267	
Chief Magistrates of districts ...	...	...	...	...	365	1,157	30	...	248	858	86	253	2	..	136	
Sessions Courts	32	18	45	...	2	71	2	...	9	2	1	...	...	...	..	
High Court	...	...	...	...	...	...	...	..	..	..	..	...	...	...	..	
Total ... 1875...	32	18	45	...	1257	7,552	432	292	1,989	18,527	484	2,630	25	52	405	
Total ... 1874...	28	19	...	...	918	7,189	396	52	1,892	17,369	454	2,545	76	75	594	

Judicial Statement B 5.—(Criminal.)

STATEMENT showing the results of Appeal and Revision in Criminal Cases in the Central Provinces, in the year 1875.

Tribunals.		Number of appellants or persons applying for revision under Section 404, Code of Criminal Procedure.	Number of persons.							Remarks.
			Appeals or applications rejected.	Sentences confirmed.	Sentences modified.	Sentences reversed.	Proceedings quashed.	Further enquiry or evidence ordered.	Pending.	
Magistrates of Districts ...	From unpaid Magistrates...	405	29	170	98	90	10	3	8	
	From paid Magistrates ...	431	35	210	89	91	1	7	5	
Courts of Session ...	From unpaid Magistrates...	17	7	3	2	5	...	...	...	
	From paid Magistrates ...	875	199	418	78	126	2	36	52	
Sadar Court, *i. e.*, Court of the Judicial Commissioner.	Appeals from Courts of Session and Magistrates of districts in the exercise of powers under Section 35 Code of Criminal Procedure ...	208	8	112	24	29	32	9	3	
	As a Court of Reference...	34	...	21	6	4	...	1	3	
	As a Court of Revision ...	80	...	14	42	15	9	...	...	
Total ...	1875	2,050	278	948	339	360	54	56	71	
	1874	2,085	252	889	351	546	15	77	32	

Judicial Statement B 11.—(Criminal)

STATEMENT showing the use of Juries and Assessors in the Courts of the Central Provinces, in the year 1875.

Classes of Courts in which Juries or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case, and prescribed qualifications.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials.			Assessors trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.
				Verdict in favour of the prosecutor or plaintiff.	Verdict in favour of the accused or defendant.	Jury discharged without verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.	
CRIMINAL COURTS.									
Sessions Court of Commissioners ...	Two Assessors in each case. The prescribed legal qualifications are education character, and age.	...	110	...	...	...	94	16	Criminal trials by or as Courts of Session.
Total ... 1875 ...	...	...	110	...	...	...	94	16	
Total ... 1874 ...	...	...	90	...	...	...	79	11	

PROVINCIAL STATEMENTS.

7 3 76 N M P—123——375

Trial Statement of the Districts of the

DISTRICTS.	Number of cases disposed of.						Number of persons under						
		Summons cases		Warrant cases			For disposal.						
								Brought to trial during the present year					
	Inquiries under Chapter XV., C Cr. P	Trials under Chapter XVI., C Cr. P.	Tried summarily under Chapter XVIII., C Cr P	Tried under Chapter XVII., C Cr P	Tried summarily under Chapter XVIII., C. Cr. P.	Total.	Remaining at the end of last year	Under arrest by the Police.	Upon Warrant	On Summons.	Voluntarily.	Received by transfer from beyond the Central Provinces	Total for disposal
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Nagpur ...	31	1,527	351	1,249	143	3,301	60	1,978	479	3,251	49	2	5,81
Chanda ...	7	558	180	570	27	1,348	8	1,273	114	728	18	...	2,141
Bhandara ...	6	367	21	550	52	996	4	874	199	642	6	...	1,72
Wardha ...	4	677	14	567	19	1,281	5	671	253	1,169	32	...	2,13
Balaghat ...	4	348	33	616	26	1,027	8	857	178	489	33	...	1,56
Jubbulpore ..	18	605	621	1,108	356	2,708	3	2,247	235	1,394	28	...	3,90
Saugor ..	10	969	543	1,153	151	2,826	3	2,757	237	1,352	11	6	4,36
Damoh ..	9	353	21	300	20	703	6	659	81	357	17	...	1,12
Seoni ...	3	316	113	488	147	1,072	20	957	95	559	16	...	1,64
Mandla ...	9	110	105	154	103	484	...	538	29	149	33	..	74
Hoshangabad ...	11	1,679	39	938	34	2,701	16	2,007	172	2,367	32	..	4,59
Betul ...	1	666	103	483	73	1,326	...	1,331	99	731	17	..	2,17
Narsinghpur ...	6	501	87	686	86	1,366	2	1,253	111	731	5	4	2,10
Chhindwara ..	1	422	37	339	89	908	3	600	85	903	13	..	1 60
Nimar ...	2	540	200	444	108	1,294	24	897	186	793	43	..	1,943
Raipur ...	22	719	52	815	179	1,787	1	1,681	196	1,070	...	...	2,954
Sambalpur ...	..	236	30	431	69	766	2	788	84	341	2	...	1,217
Bilaspur ...	8	511	52	640	18	1,229	8	1,145	311	701	10	...	2,175
Upper Godavari ...	...	26	80	75	30	211	6	192	67	86	8	..	359
Total... 1875 ...	157	11,130	2,685	11,632	1,730	27,634	179	22,705	3,211	17,810	373	12	44,299
Total... 1874 ...	134	11,274	1,242	12,833	1,356	26,839	260	21,062	3,557	18,498	385	13	43,770

MENT No. II

Central Provinces, for the year 1875.

inquiry and trial during the year											
Disposed of							Remaining.				
Discharged							Since the month of				
Complainant absenting himself or withdrawing complaint	In other cases.	Acquitted	Convicted.	Committed	Died, escaped, or transferred beyond the Central Provinces	Total disposed of.	Over two months	November.	December.	Total remaining	REMARKS.
15	16	17	18	19	20	21	22	23	24	25	26
982	644	985	3,067	56	27	5,761	2	...	56	58	
104	145	189	1,695	5	1	2,139	...	...	2	2	
214	141	171	1,154	11	8	1,699	...	...	26	26	
138	302	375	1,301	5	...	2,121	...	...	9	9	
192	281	189	864	6	8	1,540	...	1	24	25	
513	346	560	2,418	29	1	3,897	...	1	9	10	
306	312	300	3,388	14	44	4,364	1	...	1	2	
140	85	88	777	10	9	1,109	...	...	11	11	
191	156	179	1,090	10	2	1,628	2	1	16	19	
48	80	80	531	8	...	747	...	1	1	2	
513	410	764	2,775	55	21	4,568	...	...	26	26	
247	121	199	1,570	1	5	2,146	...	.	32	32	
64	187	318	1,477	16	9	2,096	...	...	10	10	
96	116	268	1,101	3	8	1,592	...	...	12	12	
168	115	145	1,499	2	7	1,936	...	...	7	7	
218	260	303	2,094	7	68	2,950	. .	...	4	4	
73	65	137	934	...	...	1,209	1	...	7	8	
74	182	325	1,516	28	28	2,153	1	3	18	22	
11	55	66	223	...	...	355	...	...	4	4	
4,292	4,036	5,666	29,504	266	240	44,010	7	7	273	289	
4,354	4,448	6,319	28,130	165	179	43,595	19	3	159	181	

Punishment Statement of the Districts

DISTRICTS.	Number of persons sentenced to—																		
	Death.	Transportation.		Imprisonment, otherwise than in default of fine or security.									Fine without imprisonment.	Whipping only.	Give security for good behaviour.	Enter into bond to keep the peace (S. 497, Cr. P.)			Total.
		For life.	For a term.	Above 2 years.	2 years and under.		6 months and under.		2 months and under.		15 days and under.					With sureties.	Without sureties.	Any other primary punishment.	
					Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.							
1	2	3		4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Nagpur ...	...	...	...	22	101	1	184	3	166	11	71	31	2,277	159	41	...	...	...	3,067
Chanda ...	...	...	...	5	36	...	58	2	129	6	73	29	1,189	126	5	1	3	2	1,694
Bhandara ...	...	...	...	4	24	...	83	11	151	5	52	5	617	197	...	...	...	1	1,158
Wardha ...	...	...	...	4	23	...	69	6	78	8	48	10	968	59	28	...	...	...	1,301
Balaghat ...	...	...	...	1	41	...	94	2	90	4	32	1	401	150	45	1	...	2	864
Jubbulpore ...	...	...	...	16	146	2	271	5	248	18	50	12	1,507	146	24	1	2	...	2,448
Saugor ...	...	...	...	29	97	...	306	7	286	20	110	14	2,162	336	21	...	...	...	3,388
Damoh ...	...	...	...	6	107	...	54	2	58	4	31	4	443	65	3	...	...	...	777
Seoni ...	...	...	...	7	70	...	154	8	94	6	15	1	502	168	65	...	...	...	1,090
Mandla ...	...	...	...	18	7	...	72	...	23	4	6	3	254	133	11	...	...	...	531
Hoshangabad ...	...	...	...	7	83	...	188	5	197	14	116	5	2,061	64	23	4	8	...	2,775
Betul ...	...	...	...	46	27	...	83	...	101	4	50	11	1,105	114	29	...	...	...	1,570
Narsinghpur ...	...	...	...	11	56	...	105	...	125	15	81	22	978	67	16	...	1	...	1,477
Chhindwara ...	...	...	...	7	115	...	65	2	79	3	15	1	740	62	12	...	...	...	1,101
Nimar ...	...	...	...	10	44	1	101	5	93	3	42	5	1,077	98	20	...	...	...	1,499
Raipur ...	...	...	...	7	126	...	277	3	206	17	82	15	1,020	299	39	3	...	...	2,094
Sambalpur ...	...	...	...	...	36	...	129	5	130	11	54	12	372	177	8	...	...	...	934
Bilaspur ...	...	...	...	6	124	...	226	2	159	10	78	10	683	201	15	1	1	...	1,516
Upper Godavari ...	...	...	...	...	13	1	14	...	11	1	3	2	169	9	...	...	...	...	223
Total ... 1875	...	...	...	206	1,276	5	2,563	68	2,427	164	1,009	193	18,525	2,630	405	11	15	5	29,502
Total ... 1874	...	...	...	127	1,074	4	2,417	44	2,416	143	1,096	205	17,369	2,545	594	44	25	20	28,123
Courts of Session. 1875	32	18	45	36	24	1	8	...	3	1	...	...	2	...	...	...	...	...	170
Courts of Session. 1874	28	19	...	34	11	...	3	...	10	...	1	...	...	...	...	...	...	...	106
Grand Total ... 1875	32	18	45	242	1,300	6	2,571	68	2,430	165	1,009	193	18,527	2,630	405	11	15	5	29,672
Grand Total ... 1874	28	19	...	161	1,085	4	2,420	44	2,426	143	1,097	205	17,369	2,545	594	44	25	20	28,229

MENT No. III.

of the Central Provinces, for the year 1875.

Number of persons sentenced to additional punishments.							Number of persons sentenced to fine.					Number of persons sentenced to whipping.				Number of persons.		
					Required to give													
Fine in addition to imprisonment, or other punishment, not including whipping.	Whipping in addition to imprisonment, with or without fine also.	Whipping in addition to fine without imprisonment	Solitary confinement	Forfeiture of property	Recognizance to keep the peace.	Security to keep the peace	Above Rs. 50.	Rs. 50 and under.	Rs. 20 and under.	Rs 5 and under	Total	21 to 30 stripes.	11 to 20 stripes.	10 stripes or less	Total.	To whom compensation has been ordered to be paid from fines (Sec. 303, C. Cr. P.)	Ordered to pay compensation to accused persons (Sec. 249, C. Cr. P.)	REMARKS
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
127	49	...	48	...	5	...	20	60	388	1,936	2,404	34	118	56	208	96	188	
134	16	...	50	281	...	1	8	23	90	1,203	1,324	26	65	53	142	162	24	
64	15	1	16	..	..	...	...	21	96	569	686	18	135	59	212	137	57	
59	10	...	29	11	..	...	6	29	158	836	1,029	8	31	30	69	6	107	
102	12	...	60	..	...	..	13	43	82	365	503	15	127	20	162	108	31	
132	33	...	55	..	...	10	22	112	355	1,170	1,659	45	107	27	179	66	35	
228	75	6	242	..	1	1	20	122	503	1,751	2,396	212	165	34	411	356	87	
87	50	.	109	...	2	..	9	68	107	346	530	79	25	11	115	44	15	
111	9	...	40	...	10	...	22	77	149	365	613	74	75	28	177	54	13	
15	7	...	...	...	1	1	2	30	75	162	269	76	55	9	140	25	6	
178	29	2	76	...	18	1	12	77	361	1,789	2,239	26	44	25	95	32	115	
147	8	1	74	...	.	...	8	31	221	992	1,252	3	89	31	123	16	25	
81	19	...	66	...	...	...	6	20	150	877	1059	24	44	18	86	148	21	
68	6	...	159	...	...	..	1	19	110	678	808	17	43	8	68	77	24	
83	4	2	11	...	...	...	33	61	196	870	1,160	29	52	23	104	110	11	
130	21	..	123	...	...	...	6	49	177	919	1,151	94	135	71	320	239	28	
101	64	1	21	...	...	...	9	29	95	340	473	26	172	44	242	154	11	
92	40	...	76	...	..	...	8	32	131	604	775	97	122	22	241	43	17	
21	3	...	...	...	...	...	1	3	10	176	190	...	11	1	12	8	.	
1,980	470	13	1255	292	37	14	206	912	3,454	15,948	20,520	903	1,633	570	3,106	2,200	815	
1,878	433	20	915	52	50	32	118	801	3,450	14,848	19,247	705	1,574	719	2,998	1,982	702	
9	1	...	2	...	...	...	6	4	1	..	11	1	...	..	1	4	...	
14	...	...	3	...	...	...	2	3	...	9	14	1	...	...	1	...	...	
1,989	471	13	1257	292	37	14	212	916	3,455	15,948	20,531	904	1,633	570	3,107	2,212	815	
1,892	433	20	918	52	50	32	180	804	3,450	14,857	19,261	706	1,574	719	2,999	1,982	702	

* The difference of two less between the total in column 19 of this Statement and column 18 (convicted) of Statement II. is owing to a person having been sentenced to single punishments for two offences in each instance.

CRIMINAL STATE

Fine Accounts of the Districts of

Districts.	A.—ADMINISTRATION.																							
	Amount of realization.									Amount realized &c.														
	Balance remaining to be realized at the close of last year.			Amount of fines imposed during the year.			Total for realization.			Realized during the year.			Become unrealizable. Owing to reversal of sentence.			Become unrealizable. Through lapse of time, or otherwise and struck off under sanction of Deputy Commissioner.			Total.		
1	2			3			4			5			6			7			8		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Nagpur ...	6,288	4	6	13,957	11	3	20,245	15	9	11,526	1	5	1,657	10	3	1,147	1	10	14,330	13	6
Chanda ...	2,376	12	5	4,719	7	0	7,096	3	5	4,227	13	2	349	8	4	169	6	8	4,746	12	2
Bhandara ...	431	0	3	3,228	12	0	3,659	12	3	2,984	1	7	100	0	0	22	14	6	3,107	0	1
Wardha ...	1,661	10	11	7,690	2	0	9,351	12	11	6,359	3	5	88	3	9	232	8	6	6,679	15	8
Balaghat ...	761	2	5	4,965	13	0	5,726	15	5	4,660	11	7	50	8	0	309	7	2	5,020	10	9
Jubbulpore ...	11,611	12	6	15,059	6	0	26,671	3	0	11,230	3	0	1,760	9	0	2,961	9	7	15,952	5	7
Saugor ...	9,964	13	0	18,336	0	10	28,300	13	10	15,413	13	3	15	0	0	3,347	7	7	18,776	4	10
Damoh ...	2,604	6	1	6,117	9	0	8,721	15	1	4,591	14	1	123	0	0	98	14	0	4,813	12	1
Seoni ...	7,324	0	5	7,689	5	0	15,013	5	5	5,939	14	7	250	0	0	6,646	2	9	12,836	1	4
Mandla ...	827	0	0	2,491	4	0	3,318	4	0	2,427	0	2	...	...	...	330	8	5	2,757	8	7
Hoshangabad ...	6,279	11	2	11,648	9	6	17,928	4	8	10,939	11	10	75	0	0	243	0	0	11,257	11	10
Betul ...	3,542	2	0	8,037	13	0	11,579	15	6	6,624	9	9	918	8	0	1,761	7	9	9,304	9	6
Narsinghpur ...	2,796	14	3	5,898	8	3	8,695	6	6	4,711	3	6	1,000	0	0	410	10	3	6,121	13	9
Chhindwara ...	2,277	7	10	3,902	8	0	6,179	15	10	3,854	4	6	45	0	0	233	4	3	4,132	8	9
Nimar ...	1,268	10	1	11,030	7	9	12,299	1	1	9,771	10	10	284	12	11	1,083	0	3	11,139	8	0
Raipur ...	3,140	12	2	6,385	15	0	9,526	11	2	5,728	9	9	248	11	3	274	14	5	6,252	3	5
Sambalpur ...	1,897	2	5	4,261	4	0	6,158	6	5	3,957	2	7	...	...	...	346	2	3	4,303	4	10
Bilaspur ...	3,713	12	2	5,112	12	0	8,826	8	2	4,127	6	3	52	0	0	1,868	0	4	6,047	6	7
Upper Godavari ...	984	11	3	595	10	8	1,580	5	11	563	11	5	35	0	0	127	0	0	725	11	5
Total ...	69,752	1	10	1,41,128	14	6	2,10,881	0	4	1,19,639	2	8	7,053	7	6	21,613	8	6	1,48,306	2	8
Of the Courts of Session ...	10,168	12	1	2,070	0	0	12,238	12	1	1,388	12	3	...	...	...	2,885	2	7	4,273	14	10
Grand Total ...	79,920	13	11	1,43,198	14	6	2,23,119	12	5	1,21,027	14	11	7,053	7	6	24,498	11	1	1,52,580	1	6

MENT No. IV.

the Central Provinces, for the year 1875.

Balance to be realized.			B. CASH. Dr. Balance in hand at the close of last year.			Total of Columns 5 and 10			Cr. Paid as compensation to complainants or injured parties			Paid as rewards.			Refunded on account of fines reversed after realization.			Paid into the Treasury to the credit of Government or of Municipal Fund. (Municipal or Gambling Acts).			Total.			Dr. Balance in hand or in deposit.			REMARKS.
9			10			11			12			13			14			15			16			17			18
Rs.	a.	p	Rs	a.	p.	Rs.	a.	p	Rs	a.	p.	Rs.	a.	p.	Rs.	a.	p	Rs.	a.	p	Rs	a.	p.	Rs	a.	p.	
5,915	2	3	348	12	9	11,874	14	2	244	0	0	35	8	0	5	0	0	11,344	3	11	11,628	11	11	246	2	3	
2,349	7	3	90	11	3	4,318	8	5	43	6	0	76	10	3	...	...	..	3,996	1	2	4,116	1	11	202	6	6	
552	12	2	112	12	9	3,096	14	4	179	0	0	167	12	0	110	0	0	2,496	4	1	2,953	0	1	143	14	3	
2,671	13	3	136	8	0	6,495	11	5	57	0	0	56	12	0	64	0	0	6,150	6	11	6,328	2	11	167	8	6	
706	4	8	117	7	6	4,778	3	1	481	6	9	819	12	6	18	2	0	3,422	3	10	4,741	9	1	36	10	0	
10,718	13	5	57	6	0	11,287	9	0	589	14	6	154	6	0	70	0	0	10,293	14	6	11,108	3	6	179	6	0	
9,524	9	0	984	1	0	16,397	14	3	420	13	0	500	6	3	200	0	0	15,042	6	9	16,223	10	0	174	4	3	
3,908	3	0	12	12	0	4,604	10	1	308	0	0	230	0	0	..	.	..	3,995	10	1	4,533	10	1	71	0	0	
2,177	4	1	...	..	..	5,939	14	7	98	10	11	53	10	0	...	.	.	5,752	9	8	5,906	14	7	33	0	0	
560	11	5	110	0	0	2,537	0	2	195	6	0	501	12	0	...	..	..	1,823	6	5	2,520	8	5	16	7	9	
6,670	8	10	375	13	0	11,315	8	10	404	4	0	188	14	0	59	0	0	10,236	6	10	10,888	5	10	427	0	0	
2,275	6	0	119	12	0	6,744	5	9	167	2	6	346	8	0	203	8	0	5,965	7	3	6,682	9	9	61	12	0	
2,573	8	9	279	14	0	4,991	1	6	328	0	0	91	11	3	...	...	...	4,347	13	3	4,767	8	6	223	9	0	
2,047	7	1	41	12	0	3,896	8	6	195	7	0	62	8	0	5	0	0	3,578	1	6	3,841	0	6	55	0	0	
1,159	9	1	93	0	9	9,864	11	7	277	10	9	771	3	3	500	0	0	8,158	11	1	9,707	9	1	157	2	6	
3,274	7	9	365	1	4	6,113	11	1	390	4	0	390	14	0	7	0	0	5,228	10	9	6,016	12	9	96	14	4	
1,855	1	7	154	10	9	4,111	13	4	601	1	8	347	10	0	17	0	0	2,975	11	5	3,941	7	1	170	6	3	
2,779	1	7	63	10	0	4,191	0	3	115	8	0	174	8	0	24	0	0	3,765	12	3	4,078	12	3	111	4	0	
854	10	0	0	8	0	564	3	5	38	10	0	11	4	0	...	...	...	514	5	5	564	3	5	...	...	...	
62,574	13	8	3,484	9	1	1,23,123	11	9	5,135	9	7	4,983	9	6	1,342	10	0	1,09,088	3	1	1,20,550	0	2	2,573	11	7	
7,964	13	3	...	..	..	1,388	12	3	450	0	0	...	...	...	500	0	0	438	12	3	1,388	12	3	...	...	.	
70,539	10	11	3,484	9	1	1,24,512	8	0	5,585	9	7	4,983	9	6	1,842	10	0	1,09,526	15	4	1,21,938	12	5	2,573	11	7	

Duration Statement of the Districts of the Central

Districts	A POLICE CASES — Number of cases — Detail according to their duration: 1 day	2 days	3 days	4 days	5 to 7 days	8 to 10 days	11 to 15 days	16 to 20 days	21 to 30 days	Above 30 days	Total number of cases	Total number of days	Average duration (in days and tenths of days) of each case
1	2										3	4	5
Nagpur	998	129	62	52	65	32	19	13	7	10	1,387	3,527	2 5
Chanda	675	33	15	7	21	14	15	6	7	2	795	1,608	2
Bhandara	338	48	22	9	20	9	9	3	3	3	464	1,224	2 6
Wardha	341	68	31	10	34	15	8	3	...	1	514	1,147	2 2
Balaghat	456	79	14	9	28	13	18	9	7	6	639	1,778	2 7
Jubbulpore	1,468	97	60	15	22	16	9	7	2	1	1,697	2,487	1 4
Saugor	1,527	107	60	38	51	38	32	6	4	5	1,868	3,581	1 9
Damoh	348	40	20	7	13	9	7	3	4	6	457	1,164	2 5
Seoni	489	53	21	14	19	12	19	10	6	1	644	1,602	2 4
Mandla	297	21	10	4	3	1	4	5	1	...	346	577	1 6
Hoshangabad	1,052	121	64	27	78	39	33	14	4	...	1,432	3,155	2 2
Betul	762	35	23	11	21	11	5	6	4	...	878	1,408	1 6
Narsinghpur	707	74	24	11	21	12	4	..	2	3	858	1,452	1 7
Chhindwara	297	29	15	11	22	13	4	...	1		392	771	1 9
Nimar	529	54	23	15	24	8	1	...	2	1	657	1,076	1 6
Raipur	905	80	28	13	21	11	14	4	4	...	1,080	1,740	1 5
Sambalpur	496	13	11	6	7	4	3	...	1	..	541	706	1 3
Bilaspur	502	45	17	19	17	30	11	8	5	8	662	1,837	2 7
Upper Godavari	72	16	3	2	[illegible]	[illegible]	2	3	2	3	108	785	7 2
Total ... 1875 ...	12,250	1,142	526	280	489	290	217	100	66	50	15,419	31,025	2 1
Total ... 1874 ...	11,163	1,411	542	337	513	332	259	96	73	64	14,790	32,830	2 2

8 3 76 J A B 124 375

MENT No. V.

Provinces, for the year 1875.

B. CASES ON COMPLAINT.											
No. of cases.											REMARKS.
Detail according to their duration.								Total number of cases (plus Col. 3 corresponding with Col. 7, of Statement II.)	Total duration in days.	Average duration (in days) of each case.	
1 to 4 days.	5 to 7 days.	8 to 10 days.	11 to 15 days.	16 to 20 days.	21 to 30 days.	31 to 45 days.	Above 45 days.				
6								7	8	9	10
282	569	464	340	105	88	39	27	1,914	19,792	10	
210	142	94	53	18	24	10	2	553	4,304	8	
138	151	107	74	36	20	6	...	532	4,505	8	
171	192	167	129	55	40	10	3	767	7,202	9	
39	64	86	88	58	29	22	2	388	4,534	12	
368	370	141	73	29	17	12	1	1,011	7,117	7	
310	298	149	131	40	24	3	3	958	7,246	7	
45	62	50	47	23	15	1	3	246	2,516	10	
44	81	90	107	43	45	15	3	428	5,441	12	
38	36	20	25	7	9	3	...	138	1,247	9	
241	344	239	230	94	83	32	6	1,269	13,017	10	
60	101	106	92	51	33	3	2	448	4,698	10	
141	86	97	75	53	30	20	6	508	5,396	11	
82	148	115	98	40	21	7	5	516	5,118	10	
251	146	112	85	26	13	2	2	637	4,460	7	
67	186	153	150	58	63	27	3	707	8,412	12	
48	62	38	32	20	13	11	1	225	2,487	11	
114	99	83	98	68	64	26	15	567	8,158	14	
64	18	7	5	3	...	...	6	103	874	8	
2,713	3,155	2,318	1,932	827	631	249	90	11,915	1,16,524	10	
2,662	2,860	2,382	2,055	955	722	280	133	12,049	1,21,932	10	

8 3 76 D. S. O.—120—375